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FOR THE ANTHOLOGY.

ORIGINAL LETTERS FROM EUROPE.

No. 3.

*Posilipo....Palace of Queen Joan....Tomb of Virgil....Grotto of Posilipo.*

BELOW the suburb of Kiaja is situated the village of Posilipo. The country houses here are a cool retreat during the heat of summer. They are built against the hill of Posilipo, composed of tupu and volcanick substances, and their walls are washed by the waters of the bay, which here, flowing against the base of the hill, leaves no room for a carriage way beyond Posilipo; afterwards there is only a narrow footpath, in traversing which the passenger is often wet by the spray. Sir William Hamilton had a house here, where he used to retire and enjoy the coolness of the evening. They are mere occasional dwellings; the space is so circumscribed, that there is no room for gardens; some of them have a terrace with a few orange and lemon trees. Yet the luxurious Neapolitans esteem this, with reason, a delicious place of resort. After existing through the debilitating heat of the day, they devote the night to pleasure, Posilipo is then a favourite resort; here they come and regale themselves on oyster suppers, of which they are extravagantly fond. Refreshed by the cool breezes of the evening, and soothed by the murmurs of the waves breaking against the walls of their houses, the luxurious pleasures

of the night console them for the lassitude they are tormented with during the fervid heat of the day. One of these casinos was pointed out to me, as having been, a short time before, the residence of an English nobleman, whose eccentricities amused the Neapolitans. He always dressed in the most effeminate manner, the neck and bosom of his shirt edged with fine lace and open like a child's. He dined at eight o'clock, the Italians dine at two; and making his servants take the lights, he would go and work in his garden by candle light.

Close by Posilipo the ruined palace of Queen Joan projects into the bay. This was the spot, in which that barbarous queen committed those licentious and cruel acts which history attributes to her. The building is very large, and not so far ruined, as to prevent being repaired. It affords shelter to fishermen and their boats. While strolling amid its ruins, reflecting on the scenes of blood and licentiousness which had formerly been acted within its walls, the sight of a fisherman, coming from some of its obscure apartments, started me from my reverie, as though I had seen one of the ghosts of its ancient inhabitants.

Below Posilipo are the extensive



ruins of the villa of Lucullus. It is now called *Scuola di Virgilio*. From these ruins is one of the most extensive views about Naples. You see Vesuvius, the bay, the islands of Capræ, Ischia, Prochyta, cape Misenus, Baiæ, &c.

There is a winding path, between the Kiaja and Posilipo, which ascends the hill to some houses and a church, situated near its summit. When arrived here, a peasant conducts you through fields of vines and groves of fig trees to a rude, romantick spot, of rather difficult access, and points you to a little ruin, shadowed by trees and overgrown with wild flowers and ivy, the name of which cannot be mentioned without emotion...how much then must be felt in seeing the tomb of Virgil! The lower part is of a square form, the upper part conical. In the inside are some remains of stucco. There are four openings, one of which is quite overgrown with bushes. It is built on the edge of a precipice, near the entrance of the grotto, and the thick growth of the bushes prevented my seeing the carriages rolling over the pavements thirty or forty yards below my feet; the noise, reverberating in the grotto, led me to discover its vicinity, though I could not see it.

Nothing is certain; and the descendants of that being, to whom Apollo gave the chaff, have excited doubts in the mind of the classic pilgrim, whether this is the real tomb of the poet. They have tried to prove, that his ashes repose on the other side of the bay. The reasons for believing this to be his tomb are founded on constant tradition, and that its form and construction agree with the description given by Donato, in his life of the poet.

Opposite the tomb a small mar-

ble slab is inserted in the rock with two Latin lines, inscribed to the memory of Sannazarius. But, as Dupaty observes, "a rage for antithesis" has led the author to praise him so extravagantly, that we deny him even the share of merit which he really possessed.

Nothing can exceed the beauty of the view from this place through the branches of the trees. The bay, a part of the city, the mountain, and the coast on the other side, are partially discovered.

...I must endeavour to give you some idea of the grotto of Posilipo, one of the most extraordinary objects around Naples. I shall quote you its history from a short manuscript work, upon the antiquities of Pozzuoli, given me by an Italian gentleman. "It is not certainly known at what time this grotto was formed. It existed in the time of Augustus, since Strabo, his cotemporary, speaks of it distinctly. Some think it to have been the work of Lucullus, because Plutarch, his biographer, says one of his most pleasing employments at Naples was to pierce thro' mountains. This grotto was very narrow in the time of Alphonso I. of Arragon, who made it much larger at each end; and after this, Don Pedro di Toledo paved it, and left it in its present state."

Turning to the left, after passing the suburb of Kiaja, the road enters the grotto, cut through the hill of Posilipo to maintain the connection, without passing over it, between Baiæ, Pozzuoli, and the city. The entrance is extremely picturesque. The hill being cut away presents to you a perpendicular wall a hundred feet high, above which the summit is crowned with pines and various shrubs, and luxuriant festoons of ivy are hanging down the sides of the rock. The passage is



about thirty feet in width and nearly a hundred in height at each end, in order to admit as much light as possible, but it slopes away to the centre, where it is not more than eighteen feet. It is nearly a mile in length; and at the entrance, when you look through the other aperture, appears diminished almost to a point, like the effect produced in looking through an inverted telescope. As the rays of light, admitted at the extremities, would not reach the middle of the passage, about one third the distance is seen by an opening, inclining upwards about thirty feet above the entrance, through which a fresh supply of light is admitted to the centre. Carriages generally go provided with torches, but it is difficult to drive, as the distant light dazzles the sight, and makes it impossible to see any object, when in the middle of the grotto.

The first time I passed thro' it I was in a chair with a friend, who fortunately held the reins; for I could have paid no attention to the horse. My admiration was excited by the romantick appearance of the entrance. The light, admitted

at the other extremity, so effectually dazzled my eyes, that I could not see the carriages which were driving rapidly by us, much less the peasants on foot, whose hallooings were blended with the reverberated noise of the wheels on the pavements. I had passed through the obscurity of the grotto and emerged again into the open air, before I could arrange my sensations. In warm weather the coolness, which is felt immediately on entering, is refreshing, and the passage through the grotto becomes very pleasing. There are many openings on each side, closed with gates, which lead into extensive caverns, formed by cutting stones used in building. In one of these openings, towards the centre of the grotto, a hermit has his gloomy cell, and there passes his life, contemplating in silence a skull, by the feeble light of a lamp. The peasants bestow their charity, and receive his blessing; the luxurious man of the world is driven by his hermitage with velocity, while the noise of the wheels does not disturb his meditations,

FOR THE ANTHOLOGY.

## CHARACTER

OF

REV. DR. HOWARD.

THE distinguishing feature of Dr. Howard's character was good sense. He thought with accuracy, and reasoned with clearness. This was the style of his publick discourses, which were always solid and judicious. As he was not gifted by nature with a mellow and harmonious voice, as there was no frenzy in his eye, no enthusiasm either in his heart or head, and as he had no proud confidence in his own elocution, he did not acquire the reputation of a popular

preacher. But there was not any thing offensive in his delivery, artificial and disgusting in his tones; his emphasis, though not forcible, was just; and there was such perspicuity in his language, so much novelty or importance in his ideas, that he seldom failed to command the attention of an auditory.

Is not such a mode of preaching, on the whole, the most useful? The admirers of eloquence, who go to a church as to a theatre, for the sake of having their passions



moved, and who think that a sermon is not good, unless it inspires them either with pity or terroure, will condemn the discourses of Dr. Howard as cold and unaffecting. But when it is considered of what materials christian congregations are composed, this censure will appear unjust. Those who attend publick worship are commonly the most decent and virtuous part of the community. They are parents, who lead to the house of God their children, whom they have trained up in the habits of order and decorum. It is the duty of a minister to confirm such persons in the good practices, which they have already learned, to exhort them to persevere in them, and daily to make new improvements in virtue ; to instruct the young in the obligations, with which, from their want of years and experience, they are not yet acquainted, and to point out to them the danger of yielding to temptation ; to fill the minds of the hearers in general with adoration and gratitude to God, the author of every perfect gift, and with respect and affection to Jesus, through whom we receive the christian religion ; and to warn all to prepare for death, to avoid the punishments, and to qualify themselves for the happiness, of a future world. These are important and interesting themes ; but to display them with advantage it is not necessary to have recourse to the language of passion, or vehement gesticulation. A different sentiment, it is confessed, prevails among many, both preachers and hearers. The former deal in bold figures and hyperbolical descriptions. They address a congregation of sober christians, as if they were an assembly of heathens, or a band of thieves and murderers.

Their doctrine descends not like the dew, but like the rain in a storm ; their voice is not small and soft, but it rolls like thunder, or roars like a whirlwind. They paint the character of the vicious man with blacker strokes of depravity, than those with which Milton has drawn the character of Satan ; and they represent the Supreme Being, as hating the work of his own hands, as fired with anger, and armed with vengeance. The hearers listen with admiration of the wonderful oratorical powers of the speaker. Though their bosoms are agitated almost to agony, yet they are at the same time charmed ; for there are many men, who are never so much delighted, as when objects of terroure are by luminous and expressive language rendered visible to their eyes. The effect of such preaching sometimes is, that the hearers, their mental sight being accustomed to none but glowing colours, are too much inclined to consider the common and essential duties of life, which are best performed with calmness and moderation, as not sufficiently splendid to be of any value. Religion they suppose to be something *more* than humble reverence of God, love to Christ, justice, sincerity, and benevolence ; and it is never so highly prized by them, as when it partakes the most largely of enthusiasm.

To such an impassioned kind of eloquence the temperate Dr. Howard could not attain ; and from our knowledge of his sentiments we can say, he would not have attained it, if he could. But though he was never fervent, yet such was the goodness of his heart and his affection to his friends, that he was sometimes pathetick. We particularly recollect two occasions, in which the auditories



were much moved by the simple pathos of his voice and language. One was at the funeral of Rev. Dr. Clarke, whose sudden death every one bewailed. The other was at a publick commencement, when his long-trying and faithful friend, the president of the university, lay dangerously sick. On both these occasions, though there were other performances, and by men who were commonly esteemed more eloquent than he, yet the tide of grief rose to its height, whilst he was praying.

This effect was in part produced by the unaffected simplicity of his character. When Dr. Howard appeared to be moved, every person believed that he was really moved. Any event, which so good a man lamented, was a subject of lamentation to all good men : it was impossible therefore to resist being drawn with him into the same current of grief. Simplicity distinguished Dr. Howard on these, and on all other occasions. He never covered his mind with the varnish of art ; he never pretended to more feeling, knowledge, or virtue, than he possessed ; but with manly plainness he exhibited his sentiments and character, such as they existed.

This freedom from affectation was probably one of the causes of the taciturnity, which was regretted by his friends. The duke de la Rochefoucault observes, that no man ever opens his mouth, unless prompted by vanity ; and though we do not entirely assent to the remark,...for Rochefoucault is the satirist of human nature, and disposed to exaggerate all its foibles and vices,...yet we are compelled to grant, that many of the speeches which we hear are dictated by vanity and affectation. Of this truth Dr. Howard was sensible ;

and this led him often to be silent. He did not choose to speak of himself ; he had no ambition to wound the feelings of his neighbour by a smart reply or a witty sarcasm ; for flattery and compliments, either serious or sportive, he was totally unqualified by his sincerity ; his exemption from prejudice prevented him from railing against the opinions of others, because they differed from his own ; his civility rendered him unwilling, by needless contradiction, to offend those who were present ; and his prudence, his benevolence, his religion, forbade him to slander the absent. We have cut off so many of the usual topics of conversation, that few are left for the candid Howard. The subjects, which he preferred, were science, literature, politicks, morality, and theology ; and when he spoke on them, he was listened to with pleasure. But he was not always grave and scientifick ; for he sometimes enlivened conversation with a sprightly sally ; and he frequently charmed the benevolent, by defending the reputation of a brother, when ungenerously attacked. He was silent, but never absent in company : he listened with attention to what others said ; and a pleasant smile often marked his approbation of the observations of his friends, particularly of the young, who required this encouragement.

Of humility, the peculiar virtue of the christian, he was an eminent example. No grace of the mind is so often affected as humility. There are men, who, under the name of foibles, accuse themselves of feelings, which they secretly hope every one will regard as amiable weaknesses. There are others, who, that they may enjoy the satisfaction of speaking of themselves, even acknowledge



their vices. There are others, who humble themselves with so much stateliness, and condescend with so much dignity, that it is manifest that they think themselves superiour to those who are in their presence. In fine there are others, who write long journals of humility, to be read after their death, and which, though they are dictated by vanity and egotism, are designed to possess the minds of those who peruse them with an exalted idea of their sanctity ; for they confess in general terms, that they are the vilest of men ; whilst they are careful not to specify the particular acts of folly, meanness, and insincerity, which are known to their contemporaries. The humility of Dr. Howard was not of this spurious sort ; he never mentioned either his virtues or his faults ; but it was evident at the same time to all, who were intimately acquainted with him, that he had a humble sense of his own talents and moral attainments.

His humility was sincere ; and sincerity was the soul of all his virtues. He did not join in sentiment with those, who think that a good cause may sometimes be promoted by stratagems. A subterfuge and deceit, an equivocation and a lie, were in his view equally criminal. For the sake of obtaining the approbation of men, and promoting his worldly interest, he did not profess to esteem what he really despised.

The sincerity and uprightness of his mind led him to inquire after truth with diligence, and to pursue it with impartiality. The result of his careful investigation was, that he saw reason to reject the theological system of Calvin ; and though at the time, in which he entered on his ministerial life,

the religious opinions that he adopted were much more unpopular than they are at present ; yet he was not deterred by this consideration from openly declaring what he believed. The creed which he thus early embraced, he saw no cause afterwards to change, but he persevered in it to the last. We presume not to say that he had discovered the truth ; but of this we have not any doubt, that, blessed by his Maker with a clear understanding, he exerted himself to obtain it, with industry and patience, humility and devotion. To those who are disposed to appeal to the authority of intelligent and virtuous men, in support of their opinions, the authority of Dr. Howard might with force be urged. But on this species of argument, which is seldom brought forward, except by those who cannot produce any better proof, no stress ought to be laid ; because experience shows,....though, before we become acquainted with the actual state of human life, we are ready to suspect the contrary, ....that wise and good men are not confined to any particular system of religious faith.

The candour of Dr. Howard equalled his love of truth. He was not only indulgent in his thoughts, and tolerant in his conduct, toward those who differed from him in opinion, but he also treated them with respect and kindness. The religious sentiments of christians, however erroneous they might be, and their ceremonies and modes of worship, however superstitious they might appear, he maintained ought always to be treated with decency ; and he neither allowed in himself, nor did he approve in others, a sarcastick and irreverent way of speaking, of objects, which any sincere believer might deem



sacred. For this catholicism he was entitled to great praise ; because the temptations to an opposite practice are very powerful ; and nothing is more common than to hear christians, especially those who esteem themselves wiser or more holy than their neighbours, charge each other with absurdity, superstition, fanaticism, or heresy.

The spirit of Dr. Howard rendered him averse to such uncharitable thoughts ; for mildness reigned in his heart. Gentle by nature, by habit, and by religion, he could not express severity, which he never felt ; gall could not flow from his tongue, for there was none in his constitution. His temper was sweet and amiable ; and his good sense forbade him to embitter it with bigoted and malignant invectives. His soul was calm ; and what motive had he to disturb its tranquillity with the furious storms of uncharitable zeal ?

This well regulated temper inspired him with constant cheerfulness. Though reserved, he was not solemn ; though serious, not gloomy. The peace, which dwelt in his heart, appeared in his countenance, in traits which no art can counterfeit.

That such a man was dear to his friends will readily be believed ; and he was so friendly in his disposition and behaviour, that many were bound to him by this affectionate tie. His parishioners loved him as a brother, or honoured him as a father : for they knew, that he had engaged in the ministry from pure, disinterested, and pious motives ; that he discharged all its duties with diligence and fidelity : that he rejoiced with them, when they rejoiced, and

wept with them, when they wept. The affection, which they felt for him, never suffered any interruption ; but as old age approached, and he advanced toward heaven, he became more deeply fixed in their hearts, like a tree, whose roots penetrate still farther into the earth, in proportion as its branches rise in the air. He was dear to his brethren in the ministry, who always welcomed him with smiles of complacency. He was dear to all his fellow-citizens, who admired his good sense, and venerated his patriotism, his integrity, his benevolence, and his sanctity. As a kind master, a tender husband, and a most indulgent parent, he was in particular dear to his family. That he was dear to God we have reason humbly to believe ; for the character, which he possessed, must have been formed by habitual devotion, by piety which filled his heart, and whence, as from a copious fountain, flowed all the virtues which he practised.

The reader will learn with pleasure, that this good man enjoyed as much felicity, as usually falls to the lot of mortals. His days were passed with usefulness, an approving conscience, and the blessing of heaven ; and though he was sometimes sick, and sometimes afflicted, yet the edge of bodily pain was blunted by patience, and the force of mental anguish was weakened by resignation. A constitution naturally delicate was preserved to old age by care and temperance ; and to a world of unmingled joy he at length passed, through the valley of death, without experiencing many of the horrors, which sometimes overshadow the dismal region.



We hope none of our gay readers, with whom method and dulness are almost synonymous, will be deterred by its title from the following paper. They will, we think, find much of that undorned, manly, and dignified sense which we see in the philosophical writings of the ages of Anne and the first George, which antithesis and metaphor have of late almost succeeded in banishing.

### FOR THE ANTHOLOGY.

METHOD is despised by some, and its utility exaggerated by others. Many writers consider *rules* as shackles of genius. Others believe them a great assistance; but they choose them so injudiciously, and multiply them to such excess, that they render them useless and even pernicious. All are equally in the wrong: the former for undervaluing method, because they are not masters of a good one; the latter for believing it necessary, when they understand none that is not very defective.

A work, without order, may succeed by its details, and place its author among the good writers: but a better arrangement would render it more worthy of success. In matters of reasoning, it is impossible that the light should be diffused equally over all the parts, if method is wanting; in things of amusement, at least, it is certain, that every thing, which is not in its place, loses some part of its beauty. But without loitering in all these discussions, let us define method, and the necessity of it will be demonstrated. I say then, that method is the art of reconciling the greatest perspicuity and the greatest precision with all the beauties, of which a subject is susceptible.

There are writers, who know not how to confine themselves within their subject. They lose themselves in digressions without number, and they find themselves again, only to repeat what they had said: it seems as if they be-

lieved, that by rambles and repetitions they might supply the things which they know not how to say. Others change their style, without consulting the nature of the subject which they treat. They pique themselves on their eloquence, when they ought to be contented with reasoning. They give you an analysis, when they ought to give a description; and their imagination grows hot and grows cold, almost always in the wrong place.

That we may not wander in the course of a work, and that we may say every thing in its proper place and express it conveniently, it is absolutely necessary, to embrace our object in a general view. Obscurity, when it is rare, may proceed from inadvertence; but when it is frequent, it arises certainly from the confused manner, in which we seize the subject of which we treat. We judge not well, of the proportions of each part, but when we see the whole at once.

Poets and orators early felt the utility of method. Among them, accordingly, it made the most rapid progress. They had the advantage of making trials of their productions upon a whole people: witnesses of the impressions they made, they had opportunities of observing what was wanting in their works.

The philosophers had not the advantage of the same admonitions. Thinking it below them to write for the multitude, they made



it, for a long time, a duty to be unintelligible. Frequently it was nothing more than a fetch of their vanity; they wished to conceal their ignorance from themselves, and it was sufficient for them to appear to be informed in the eyes of the people, who, better qualified to admire than to judge, very willingly believed them on their word. The philosophers then, having for judges only their disciples, who blindly adopted their opinions, could not suspect their method to be defective: they could only believe, on the contrary, that whoever did not understand them wanted intelligence. This is one reason, that their labours have produced so many frivolous disputes, and contributed so little to the progress of the art of reading.

The first poems were only histories, woven together, without art: many ambiguous expressions, many rambles, and repetitions without number. Facts, so ill digested, could not easily be preserved in the memory, and experience taught insensibly how to disentangle them and present them with more precision. When they knew how to place the facts in order, they wished to add ornaments, and they loaded them with fictions. To write history they composed romances in verse, that is to say, poems. Since prose has been consecrated to history, there has been the same propensity to fictions. They have therefore made poems in prose, that is, romances. It is thus that romances and poems have sprung from history.

When they began to compose poems, they soon perceived the importance of interesting. It was remarked, that the interest increases in proportion as it is less divided; and it was acknowledged,

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that unity of action is necessary. Other observations discovered other rules, and the poets had, concerning method, ideas so exact, that it was reserved for them to give lessons to the philosophers.

Although their rules are the fruit of experience and reflexion, some writers have combatted them, as if they were only old prejudices. They have thought to establish new opinions by reviving the errors of the first artists, and restoring the arts to their original barbarity.

It is not to render service to genius to disengage it from subjection to method. It is, for them, what the laws are to a freeman.

Poems will please, only in proportion as these rules are observed. If we find attractions in episodes, it is because each of them is one; and by consequence separated from the work, with which it is not connected, has its beauty. All together, they compose a poem in which are beautiful things, but make not a beautiful poem: in fact, if, descending from details to details, we perceive not unity in any part, the entire work will be but a chaos. All the parts, then, ought to form a single whole.

The rules are the same for eloquence; but while experience guided the orators and poets, who cultivated their arts without affecting to give precepts, the philosophers wrote in a method which they had not discovered, and of which they believed they gave the first lessons. They have composed treatises on rhetoric, on poetry, and on logic. Without being poets or orators, they have known the rules of poetry and eloquence, because they have sought for them in models, where the examples were to be found. If they had been



possessed early of equal models of philosophy, they would not have been so slow in acquiring the art of reading. It is because they have been deprived of this aid, that they have inserted in their logick so few of useful things and so many subtilties.

The method, which teaches to make a whole, is common to all kinds. It is, above all, necessary in works of reasoning; for the attention diminishes in proportion as it is divided, and the mind seizes nothing, when it is distracted by too great a number of objects.

But the unity of action in works intended to interest us, and the unity of object in such as are composed to instruct us, equally demand, that all the parts among themselves should be in exact proportion, and that, subordinate the one to the others, they relate all to the same end. By this, unity brings us to the principle of the greatest connexion of ideas; upon this it depends. In truth, this connexion being found, the beginning, the end, and the intermediate parts, are determined: every thing which alters the proportions is cut off; and we can no longer lop, or displace any thing, without injury to the connexion or the pleasure.

To discover this connexion it is necessary to fix our object, until we can determine the principal parts of it, and comprehend them all in the general division. We must avoid divisions merely arbitrary, and even preliminary divisions, by which we decompose an object in all its parts; the mind of the reader would be fatigued from the first entrance of the work; things which would be most essential to him to retain, would escape him, and the precautions, which the author should have

taken to make himself understood, would often render him unintelligible. To begin by divisions without number, to make a great shew of method, is to bewilder ourselves in an obscure labyrinth in order to arrive at the light. Method never proclaims itself less, than when there is most of it.

The beginning of a work, then, cannot be too simple, nor too entirely disengaged from every thing which occasions any difficulty.

The general division being made, we ought to search for the order in which the parts contribute the most to diffuse upon each other light and attraction. By this, all will be in the greatest connexion.

Afterwards each part should be considered in particular, and subdivided as often as it includes objects, each of which can constitute a *little whole*. Nothing should be admitted into these subdivisions, which can alter the unity of them; and the parts know no other order, than that which is indicated by a gradation the most obvious. In works composed to interest us, it is the gradation of sentiment; in others it is the gradation of evidence. But to conduct ourselves surely, it is necessary to know how to choose among our ideas, which present themselves: the choice is necessary, that we may adopt nothing, which contributes not to the strictest connexion of ideas. Every thing that is not attached to the subject we treat, ought to be rejected; even things which have some connexion with it, deserve not always to be employed. This right belongs only to those things, which can connect themselves the most sensibly to the end which we propose.

The subject, and the end, are the two points of view, which ought to regulate us. Thus, when



an idea occurs, we have to consider whether, being connected with our subject, it developes it in relation to the end, for which we treat it ; and whether it conducts us to that end by the shortest course.

In taking our subject for the only fixed point, we may extend ourselves indifferently on all sides. Then, the farther we ramble, the less the details, among which our thoughts wander, have relation to one another ; we no longer know where we are to stop, and we appear to undertake several works, without accomplishing any. But when we have, for a second point fixed, an end well determined, the road is marked ; every step contributes to a still greater development, and we arrive at the conclusion without having ever gone out of our way. If the whole work has a subject and an end, every chapter has equally both the one and the other ; and so has every section, and every phrase. It is therefore necessary to pursue the same conduct in the details. By this, the work will be one in the whole and in every part, and all will be in the greatest possible connexion. By conforming to the principle of the greatest connexion, a work will be reduced to the smallest number of chapters, the chapters to the smallest number of sections, the sections to the smallest number of periods, and the periods to the smallest number of words.

In nature all objects are connected in the formation of a single whole. This is the reason, it is so natural to us to pass lightly from one thing to another. We are, even in our greatest excursions, always conducted by some sort of connexion. We ought therefore continually to watch over ourselves, that we may not go out of the sub-

ject we have chosen. It is necessary to give so much more attention to this, because always in combat with ourselves to prescribe limits and to overleap them. We think ourselves authorized, under the smallest pretext, in our greatest departures. It often seems, that we are more curious to shew that we know a great deal, than to make it appear we know well those things we treat.

Digressions are not permitted, but when we find not in the subject, on which we write, materials to present it with all the advantages we desire. Then we look elsewhere for that, which it does not afford ; but it is with the design to return to it soon, and with the hope of diffusing over it more light and ornament. Digressions and episodes ought not therefore ever to make us forget the principal subject. They must have in that subject their beginning, their end, and they must incessantly return to it. A good writer is like a traveller, who has the prudence never to quit his path, except to enter again with accommodations proper to enable him to continue his journey more happily. A great work is to be considered like a discourse of a few pages, or periods ; for the method is the same for the one and the other.

We may labour, on the different parts of a work, according to the order in which we have distributed them ; and we may also, when the plan has been well digested, pass indifferently from the commencement to the end, or to the middle, and, instead of subjecting ourselves to any order, consult only the impulse or inclination, which prompts us to seize the moment, in which we are more prepared to treat of one part than another.



There is in this conduct a liberty, which resembles, without being a disorder. It relaxes the mind by presenting to it objects always different, and leaves it at liberty to resign itself to all its vivacity. Nevertheless the subordination of the parts fixes the points of view, which prevent or correct all digressions, and which recal us continually to the principal object. We should employ all our address to regulate the mind, without depriving it of its liberty. Whatever order men of talents discover in their works, it is rare

that they subject themselves to it, when they study.

It remains to treat of the different kinds of works. For there are three, in general; the didactick, the narration, and the description; for we reason, we relate, and we describe. In the didactick we lay down questions and discuss them; In narration we expose facts, true or imaginary, which comprehends history, romance, and poems: In description we paint what we see, and what we feel, which belongs particularly to the orator and to the poet.

### FOR THE ANTHOLOGY.

#### REMARKER.

No. 7.

*Quo tentam mutantem Protea nodo?* HOR.

THERE is a word on every one's tongue, to limit the meaning of which however, by an indisputable definition, seems scarcely less difficult, than to "tell you where fancy's bred." It is *taste*;...something about which every one talks, because nobody is willing to believe he is ignorant of what all the rest of the world knows. Yet, when curiously examined, it appears to be something so aërial and volatile in its nature, that it can scarcely be grasped by the metaphysician, and which, at the sight of the chains of logick,

*Spreads its light wings, and in a moment flies.*

The principles by which it is regulated are supposed to be as variable, as its nature is mysterious. Not only does the taste of every age apparently differ; but in every nation of the same age, and I had almost said in every individual of the same nation, does this Proteus assume new forms, and frolick in new caprices. That taste has no law is commonly supposed to be one of those universal and

indisputable truths, which, like the maxims of the schools, must equally silence the cavils of the ignorant and the wise.

Still, however, there are some difficulties attending the common opinion of the mutability of taste, which seem to me almost to make heresy pardonable. We believe, after all, that taste is a word of some significance. We even ascribe to its influence all that is beautiful and lovely in art, and tho' its nature, like the musick of Ariel, is unseen and incomprehensible, yet we cannot forbear to hear its harmony above and around us.

But if the opinion we mention is correct, these conclusions are all fallacious. If taste be thus lawless and capricious, he, who calls himself the man of taste, has little cause of self complacency. His assumption of some fixed principles of judgment is perfectly gratuitous; and if we refuse to concede them, there are no statutes of reasoning on which he can extort our belief. To talk of the canons of criticism,



on this supposition, is unmeaning and ridiculous ; for what is the value of principles, the application of which depend on something which is thus arbitrary and mutable ? The critick, if there is no standard of taste, is only the legislator of caprice, and the lord chancellor of whim. The praise, which he and the world give to the writings, which taste has embalmed and consecrated, is puerile and groundless ; our admiration is all traditionary and inherited, and we only repeat raptures already a thousand years old.

To say, however, there exists no standard of taste, seems little less than to affirm, that there are no common feelings in our nature, and nothing similar in the construction of our minds. It does not require much philosophy to perceive, that beauty exists in the mind, and not in the object of its contemplation. It is then obvious that, as the grand and prominent appearances of external nature do not change, if there were an essential diversity in our relish for them, it could arise only from the variety and mutability of our perceptions. But the rose is as sweet to you as to me. We differ not in our wonder at what is sublime, or our delight in what is beautiful in nature ; though there is not equality in our feelings, there is no discordance. If then our perceptions of pleasure are similar, though unequal, we must believe, that there are some common principles of judging of the perfection of those arts, which profess to imitate the objects that produce our perceptions. If we grant any identity in the formation of our minds, can we forbear to conclude, that mankind must retain these principles as long as nature, which it is the

province of poetry and painting to depicture, and the passions, which it is their province to analyze and unfold, remain invariable and the same ?

But this conclusion is not merely authorized by speculation. It is only on the supposition of a standard of taste, that we can account for the fact, that there are principles of judging, which have continued permanent and established. The origin of these principles will not account for it, for that is just what we should suppose it would be on the theory we advocate. *La génie, says La Harpe, a considéré la nature, & l'embellie en l'imitant, des esprits observateurs out considéré le génie, & out dévoilé par analyse le secret de des merveilles.* That we should acquiesce in the principles thus collected, that the decisions of criticism in one age should be submitted to and affirmed in another, is surely inconsistent with any other supposition, than that they are founded on the constitution of our common nature. It is unnecessary to attempt to prove that there is such acquiescence, for who will deny, that Longinus and Quintilian are arbiters of elegance now, equally as among the ancients, and that whatever was sublime or beautiful to them continues so to us.

It is however in taste, as it is, in some degree, in morals ; though its general and essential principles are immutable and unquestionable, yet their application to individual instances is not a little fluctuating. We shall accordingly be told of the opposing sentiments, and still agitated controversies among men of taste ; and that deep fixed as these principles may be, they do not secure even criticks from deception. We shall be told of the success of



the forgery of Sigonius,\* and reminded that a boy of eighteen,† in the eighteenth century, when the idolatry of Shakespeare was at its height, successfully imposed Vortigern on Parr and half the English nation, as a genuine relick of the bard of Avon. If, indeed, in the days of Cicero, they disputed on the nature of Atticism, and the orator was accused of a style vitiated and Asiatick; if Seneca and Tacitus are pronounced the corruptors of Roman taste, and Fontenelle in France, and Johnson and Gibbon in England, receive a similar sentence from criticks of no vulgar rank, he must be a strong-nerved controversialist, who will assert that the philosophy of taste is completely understood. Still, because their application is not unerring, it is no proof that principles are not fixed, and if this diversity can be accounted for, the theory will remain unshaken.

The common notion of the nature of taste, that it is an original and distinct faculty, or rather a certain indefinable instinct, which discriminates by feeling and decides by impulse, is not perhaps very philosophical. We will not undertake to puzzle our readers and ourselves with a metaphysical refutation of the opinion from the construction and laws of the mind. The palpable fact, that taste is matured and perfected by experience, as it accounts for the production of it on principles exactly analogous to that of all the other powers of the mind, is of itself sufficient.

The fact, which is here assumed, will I presume be conceded, but, to destroy the possibility of doubt, I will produce a proof as decisive

as it is indisputable. Sir Joshua Reynolds\* relates of himself, that at his first visit to the Vatican he walked about it for a long time, surveying with delight the various paintings which adorned it; till at length, after he had been fatigued by the toil of admiration, he inquired of his guide for the works of Raffaele, and was coolly informed, that the first paintings he had been shown, and which he had passed by, almost without examination, were the works of that surpassing genius, who is to Angelo what Virgil is to Homer. He adds, that he was by no means induced to dispute the justice of the sentence, which had so long given Raffaele his rank; but suspecting his own judgment, he sat down to the study of his works, and at length disciplined his mind to acquiescence in the decision.

If it be granted then that taste is factitious, it is placed on the same foundation, as the other faculties of the mind, and the varieties of taste are to be explained on precisely the same principles, as the varieties of reason and judgment. We might as well say, that morals are baseless and fortuitous, because men dispute on them, as to say, that taste has no laws, because all do not assent to them. Indeed we have here a foundation for what, after all, we find true in fact, for greater permanency in the decisions of taste, when once made, than in those of reason and judgment. For the passions, on the delineation and colouring of which so much of the influence of poetry and elegance depends, are infinitely less variable in their operations, than the judgment and reason. We accordingly find, that while systems

\* The author of the tract, *De Consolatione*, usually printed among the works of Cicero.  
† Ireland.

\* Life by Malone. This account is quoted from memory, but is, I believe, substantially correct.



of recondite science fade away and are forgotten, the language of nature and of passion is eternally the same. The philosophical theories of the ancients are now neglected, or regarded only for the beauties of the style in which they are conveyed; but their poetry and eloquence still find an echo in every breast, the creations of their fancy are still warm and breathing with life, still sparkling and ruddy with undecaying youth.

It would be easy to enumerate some of the secondary causes of the diversities of taste, such as the different degrees of original sensibility, and the accidental associations of peculiar situations. But I forbear, for the Remarker is already more than suspected of being rather long-breathed; and some of our Juvenals will begin to exclaim against this indefatigable descendant of Orestes. Let me only observe, that I am far from contending for a standard so rig-

orously limited, as to exclude from the list of fine writers Seneca or Tacitus, Fontenelle or Gibbon; still less for one which would exclude any felicity of invention, or frolick of fancy, because it departs from its laws, or which would canonize feebleness and triviality, because they do not offend them. The fine arts have some beauties, such as the French call *finesses*, which, from accidental circumstances, are more or less praised in different ages, but their grand and essential beauties are, I believe, regulated by laws, as invariable as nature itself.—To me this is not merely a question of curious speculation; for if I doubted the existence of a standard of taste, I should lose much glow while I read, and all trembling when I write; I should lose too, while I meditate the great masters of taste, all the complacency, which arises from the whisper of vanity, that I may hereafter be worthy to praise them.

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FOR THE ANTHOLOGY.

## SILVA.

No. 13.

*Nempe inter varias nutritur SILVA columnas.....HOR.*

## BURNS AND BLOOMFIELD.

THESE two poets appeared nearly at the same time. Both combated the disadvantages of low birth, and the want of education; and the powers of both expanded unassisted by the genial warmth of patronage, till they excited the attention, and procured the favour of the publick. But here the resemblance ceases. Bloomfield has already outlived his reputation; but the reputation of Burns still increased, though he was himself the cause of his miserable end. His genius, full of fire and feeling, made us forget his foibles. We thought only on the poet, or if we remem-

bered the man, it was to regret, that fortune had not been more propitious, and saved him from those temptations, which he was unable to resist. The advocates of Bloomfield advance, that the narrow cell of a cobbler's stall is less propitious to the expansion of genius, than the open fields, where the mind is easily drawn by the beauties of nature to leave the plough, and walk in her flowery paths. But his poems exhibit no proof of a mind equal to conceiving those beauties, which abound in Burns. The applause of his fellow apprentices for a few happy rhymes might easily lead him to



give his leisure moments to writing verses ; and without possessing that genius, of whose power we hear so much, and see so little, he might produce a poem, which, considering the disadvantages under which he laboured, would produce surprise. The hand of patronage would be extended by those, who are desirous to bring forward talents and merit ; and the voice of criticism would be silenced by a reference to his former circumstances. But comparative merit cannot be allowed in the republic of letters. Authors must be finally judged by their works alone. The few beauties, which we find in Bloomfield, cannot palliate his faults. A momentary gleam may burst through the thick darkness ; but the prospect is gloomy, and we are eager to quit the dreary scene. Should his genius be as prolifick as was Rhea, Saturn is as insatiable as ever to destroy the offspring as soon as born ; and no deceit will now save a favourite production from his ruthless tooth. The genius of Burns struggled against poverty and the insolence of petty office ; but rose superiour to every obstacle. We labour with pleasure through a barbarous glossary, that we may fully relish his beauties. We learn his language and become his countryman, that we may enjoy the innocent pleasures of the cotter's Saturday night.

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HUDIBRAS.

THE excellence of this work is no longer questioned. The seal of merit has been affixed to it by the hand of time ; and few are so hardy, as to question his decrees. Every one would be thought acquainted with it, yet I doubt, whether it ever produced sufficient interest to spoil a dinner for

its greatest admirer. Though full of the flashings of genius, and the observations of an acute understanding, it wants interest to keep attention alive. The novelty of language soon wears off. The unexpected resemblance between dissimilar objects, and the peculiar mode of viewing them, at first delights, but soon fatigues ; and we look in vain for incidents, upon which to rest our wearied imagination. We find ourselves lost in a wilderness of flowers ; and when satiated with admiring their singular form, and varied tints, we reflect, that we are not advancing towards the end of our journey ; our guide, instead of relieving us by pointing out the object, to which we should be advancing, only presents us with a fresh nosegay.

This want of interest can but in part be attributed to the local subject of the work. The satires of Swift and Pope afford us great pleasure in the perusal, though Dennis and Wood are known to us but from these authors. And though the characters of the English revolution are uncommon, and such as are rarely exhibited upon the theatre of the world, yet the same desire of overturning every thing established by age led the French to imitate the English in their revolution ; and when every thing of importance had been overthrown, to turn their zeal to things of no consequence. We therefore find many observations in Hudibras, which may with propriety be applied to the scenes, that have lately been exhibited in France. Much therefore of the want of interest in this poem must be attributed to its radical defects, paucity of incidents and to its being unconnected. The judgment of Johnson has corrected the criticism of Dryden, who thought the



work would have been improved by heroick metre. But it may still remain a doubt, whether the same talents and judgment differently employed might not have produced a more interesting picture of the manners and conduct of the fanatics of the English revolution.

#### IMITATION OF HUDIBRAS.

JOHNSON says in his life of Butler, "Nor even should another Butler arise, would another Hudibras obtain the same regard." But neither this prediction, nor the fate of all their predecessors lost in the same path, can deter many from seeking immortality by following the same footsteps. Without possessing the genius of Butler, which illumines every page of his works, his imitators assume his dress, and think, under the name of Hudibrastick verse, they may conceal poverty of thought and grossness of language. But as it is easy to ape the trifling peculiarities of great men, it should be remembered, that, as great qualities seem more conspicuous by the neglect of trifles, every thing is wanting, where those qualities are not to be found. The paintings of genius will attract admiration, whether they modestly display their beauties in simple colours, or are tricked off in a court dress; but a splendid frame must draw the eye of observation from a mere daub. Familiar language, neglected verse, and low imagery, are not sufficient to bring to our minds the muse of Butler. We may without effort be induced to glide down the silent stream of modern poetry, where we are only guided by industrious imitation. But over a rugged road some superiour power must lead us, or we

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shall not be induced to follow. This mode of writing may be successfully used, where we mean to satirize on objects mean and temporary. We may caricature, though we can hardly draw a picture, in Hudibrastick verse. The passing follies of the hour may be ridiculed in this verse; and we are pleased to see an author succeed in holding up to derision in it characters who, with the bad principles of the day, endanger our civil and political safety. But, not content with rendering to Cæsar the things that are Cæsar's, many of our criticks, with more patriotism than judgment, so surcharge with flattery every American publication, as to disgust even our vitiated palates. We were led to this remark by lately seeing in our papers a selection from the Port Folio upon Democracy Unveiled; in which Mr. Fessenden is ranked before Butler, and has Churchill and the first English satirists placed by his side. We could not but regret, that so useful an author, and one who has afforded us so much pleasure, should thus have his feelings injured by injudicious praise. He seems not to have cast a look at immortality; but to have been content with having merited the applause of his country, and of his own heart, for promoting the cause of virtue and of good government.

#### FEMALE EDUCATION.

COULD one of our pious ancestors, who first landed on these shores, by some magick spell be raised from the grave, where he had reposed for years, his astonishment, at the present manners of our ladies, would no doubt be very great. He would no longer, as in his day, find ladies employed in



domestick occupations, in the arrangement of the household, in needle work, &c. but he would find the use of the distaff almost unknown to them, and that the knowledge of fashions had succeeded to the knowledge of domestick economy. Should he examine, whether they had acquired the accomplishments, to which they boast their time had been devoted, he would find their knowledge of musick sufficient to make them unwilling to play, but in the partial hearing of their own family; he would see them fond of dancing, but unable to move with grace; pleased with poetry, but confining their admiration to the daily effusions of the newspapers; so enraptured with romance, as to devour every novel placed before them; making perhaps an unusual effort to paint, and producing what is deemed exquisite by themselves and friends, because at the first view any one may know for what it was designed; discarding the decent dress of their ancestors for ridiculous fashions, imported from abroad; and much more attentive at the playhouse, than at church. With such a picture before him, he might, without being deemed a skeptick, doubt the boasted superiority of our present manners; whether the solid qualities of his day had not been exchanged for mere tinsel to catch the eye; and whether women were now more useful members of the community, than formerly. Should he then observe our morals, which were formerly preserved by strictness of authority, now left exposed to the rude buffets of the world, without one established principle to guide them amid the quicksands of passion, or to guard them against the contagion of corrupt examples, imported with our

fashions; and that they had to look to feeling alone for assistance, I tremble lest his doubts should be removed, and the verdict be given in favour of his own age. Though we could not deny the justice of this decision, no one, I believe, would wish to bring back the manners of that age, when the mistress was little more than an upper servant in her own house, and her ideas not raised above that condition. In the first settlement of this country, the men were wholly occupied in obtaining a bare subsistence; and the aid of the female was necessary to add to their hard fare a few of the comforts of life. Custom continued what was commenced from necessity, even after an intercourse with other nations had introduced more liberal ideas. Most men, rivetted to old habits, were unwilling to see their wives and daughters employ that time in improving their minds, which they thought ought to be occupied in domestick employments. These prejudices are now nearly removed; women are raised from their station in the kitchen to a rank in society; but no means are taken to prepare their minds for their new situation. The infant is sent to school, because the avocations of the mother will not permit her attention to it. At school, its mind is first opened; but instead of having goodness instilled into it, and made a part of its constitution, it receives the knowledge of evil, from which the female mind, not designed for the bustle of the world, should be kept as long as possible. At different schools she remains nine or ten years, learns to read, to answer by rote such questions in geography as the common school-books contain, and perhaps may be enabled to cast up a shopkeeper's account.



From her dancing master she has not even learnt to walk ; and ere she is a mother, the little musick she may have acquired, is quite forgotten. But is her mind now prepared, and has her education fitted her for acting her part in society ? or are women born without minds, and only designed to continue the species ? If so, we ought to have a tribunal of marriages, that by crossing the breed the race might be improved. But, without recurring to such monsters as Catharine and Elizabeth, history and our own experience inform us, that woman has ever possessed a mind fine and delicate ; and although its texture may frequently be destroyed by education in its infancy, that she was designed for the companion, not for the servant of man. This mind then should be cultivated, she should be taught to think as well as to read. For many, with a laudable desire of knowledge, but undirected in the means of obtaining it, feed with avidity on whatever books chance throws in their way, and think they have stored their minds, by lodging the principal ideas in their

memories. But not knowing how to use their knowledge, it is of no more service to them, than treasure is to the miser, who always keeps it fast locked, and fears to look at it himself. She who only reads, instead of useful and nutritious herbs and flowers, will collect nettles and weeds, and at best will only obtain useless trash. If she really wishes to improve her mind, she must be willing to study, and thoroughly to understand every thing she undertakes ; and she will not then in vain request the direction of her friends. She may do this, without neglecting those exterior accomplishments, which give a captivating and irresistible dignity to the female person. She may be able to participate in all our joys, and alleviate all our cares ; temper our ardour with moderation, and excite our dormant benevolence into action. She would then neither be regarded in the degraded state of a housekeeper, nor as a pretty toy to be admired ; but as our best companion, for which God and nature designed her.

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#### FOR THE ANTHOLOGY.

##### EXTRACTS FROM MEMOIRS OF MARMONTEL, WRITTEN BY HIMSELF.

MARMONTEL informs us that he was born at the small town of Bort in the Limosin, of which he gives a beautiful portrait :

‘ Bort, seated on the Dordogne between Auvergne and Limosin, presents a fearful picture to the first view of the traveller, who, at a distance, from the top of the mountain, sees it at the bottom of a precipice threatened with inundation by the torrents that the storms occasion, or with instant

annihilation by a chain of volcanick rocks, some planted like towers on the height that commands the town, and others already hanging and half torn from their base. But Bort assumes an aspect more gay, as these fears are dissipated and the eye extends itself along the valley. The green and woody island that lies beyond the town, embraced by the river, and animated by the noise and motion of a mill, is filled with birds. On the



banks of the river, orchards, meadows, and corn fields, cultivated by a laborious people, form varied pictures. Below the town the valley opens, presenting on one side an extensive meadow watered by continual springs, and on the other fields crowned by a circle of hills, whose gentle slope forms a pleasing contrast with the opposite rocks. Farther on, this circle is broken by a torrent which, from the mountains, rolls and bounds through forests, rocks, and precipices, till it falls into the Dordogne by one of the most beautiful cataracts of the continent, both for the volume of water, and the height of its fall ; a phenomenon which only wants more frequent spectators to be renowned and admired. It is near this cataract that the little farm of St. Thomas lies, where I used to read Virgil under the shade of the blossoming trees that surrounded our bee hives, and where their honey afforded me such delicious repasts. It is on the other side of the town, beyond the mill, and on the slope of the mountain, that the garden lies, where on welcome holidays my father used to lead me to gather grapes from the vines he himself had planted, or cherries, plums, and apples from the trees he had grafted. But the charm that my native village has left on my memory arises from the vivid impression I still retain of the first feelings, with which my soul was imbued and penetrated, by the inexpressible tenderness that my parents shewed me. If I have any kindness in my character, I am persuaded that I owe it to these gentle emotions, to the habitual happiness of loving and being loved. Ah ! what a gift do we receive from heaven, when we are blessed with kind, affectionate parents !

‘ I also owed much to a certain amenity of manners that then distinguished my native place ; and indeed the simple gentle life we led there must have had some attraction, since nothing was more rare than to see the natives desert it. Their youth was instructed, and their colony distinguished itself in the neighbouring schools ; but they returned again to their town, like a swarm of bees to the hive, with the sweets they had collected.’

Marmontel is to be regarded as the immediate cause of the great change which has taken place in the dramattick world ; of simplicity in declamation, and truth in the costume of the theatre.—‘ I had (says he) long been in the habit of disputing with Mademoiselle Clairon, on the manner of declaiming tragick verses. I found in her playing too much violence and impetuosity, not enough suppleness and variety, and above all a force that, as it was not qualified, was more a-kin to rant than to sensibility. It was this that I endeavoured discreetly to make her understand. “ You have,” I used to say to her, “ all the means of excelling in your art ; and great as you are, it would be easy for you still to rise above yourself, by managing more carefully the powers of which you are so prodigal. You oppose to me your brilliant successes, and those you have procured me ; you oppose to me the opinions and the suffrages of your friends ; you oppose to me the authority of M. de Voltaire : who himself recites his verses with emphasis, and who pretends that tragick verses require, in declamation, the same pomp as in the style ; and I can only answer I have an irresistible feeling, which tells me that declamation, like style, may be noble, majestick, tragick, with simplici-



ty ; that expression, to be lively and profoundly penetrating, requires gradations, shades, unforeseen and sudden traits, which it cannot have when it is stretched and forced." She used to reply sometimes with impatience, that I should never let her rest, till she had assumed a familiar and comick tone in tragedy. " Ah ! no, Mademoiselle," said I, " that you will never have ; nature has forbidden it ; you even have it not, while you are speaking to me ; the sound of your voice, the air of your countenance, your pronunciation, your gestures, your attitudes, are naturally noble. Dare only to confide in this native talent, and I dare warrant you will be the more tragick."

' Other counsels than mine prevailed, and, tired of being importunate without utility, I had yielded, when I saw the actress suddenly and voluntarily come over to my opinion. She came to play Roxane at the little theatre at Versailles. I went to see her at the toilette, and, for the first time, I found her dressed in the habit of a sultana ; without hoop, her arms half naked, and in the truth of Oriental costume : I congratulated her. " You will presently be delighted with me," said she. " I have just been on a journey to Bourdeaux ; I found there but a very small theatre ; to which I was obliged to accommodate myself. The thought struck me of reducing my action to it, and of making trial of that simple declamation you have so often required of me. It had the greatest success there : I am going to try it again here, on this little theatre. Go and hear me. If it succeed as well, farewell my old declamation."

' The event surpassed her expectation and mine. It was no

longer the actress, it was Roxane herself, whom the audience thought they saw and heard. The astonishment, the illusion, the enchantment, was extreme. All inquired where are we ? They had heard nothing like it. I saw her after the play ; I would speak to her of the success she had just had. " Ah !" said she to me, " don't you see that it ruins me ? In all my characters, the costume must now be observed ; the truth of declamation requires that of dress ; all my rich stage-wardrobe is from this moment rejected ; I lose 1200 guineas worth of dresses ; but the sacrifice is made. You shall see me here within a week playing *Electre* to the life, as I have just played Roxane."

' It was the *Electre* of Crébillon, Instead of the ridiculous hoop, and the ample mourning robe, in which we had been accustomed to see her in this character, she appeared in the simple habit of a slave, dishevelled, and her arms loaded with long chains. She was admirable in it ; and some time afterward, she was still more sublime in the *Electre* of Voltaire. This part, which Voltaire had made her declaim with a continual and monotonous lamentation, acquired, when spoken naturally, a beauty unknown to himself ; for on seeing her play it on his theatre at Ferney, where she went to visit him, he exclaimed, bathed in tears and transported with admiration, " *It is not I who wrote that, 'tis she : she has created her part !*" And indeed, by the infinite shades she introduced, by the expression she gave to the passions with which this character is filled, it was perhaps that of all others in which she was most astonishing.

' Paris, as well as Versailles, recognised in these changes the true



tragick accent, and the new degree of probability that the strict observance of costume gave to theatrical action. Thus, from that time all the actors were obliged to abandon their fringed gloves, their voluminous wigs, their feathered hats, and all the fantastick apparel, that had so long shocked the sight of all men of taste. Lekain himself followed the example of mademoiselle Clairon; and from that moment their talents, thus perfected, excited mutual emulation, and were worthy rivals of each other.'

Marmontel speaks thus of an interview with Massillon:

'In one of our walks to Beauregard, the country-house of the bishoprick, we had the happiness to visit the venerable Massillon. The reception this illustrious old man gave us, was so full of kindness, his presence and the accent of his voice made so lively and tender an impression on me, that the recollection of it is one of the most grateful that I retain of what passed in my early years.

'At that age, when the affections of the mind and soul have, reciprocally, so sudden a communication, when reason and sentiment act and re-act on each other with so much rapidity, there is no one to whom it has not sometimes happened, on seeing a great man, to imprint on his forehead the features that distinguished the character of his soul and genius. It was thus that among the wrinkles of that countenance already decayed, and in those eyes that were soon to be extinguished, I thought I could still trace the expression of that eloquence, so sensible, so tender, so sublime, so profoundly penetrating, with which I had just been enchanted in his writings. He permitted us to mention them to him, and to offer him the homage

of the religious tears they had made us shed.'

The origin of Marmontel's celebrated Tales does him great credit. He had procured the appointment of Editor of the *Mercur* François for Boissy, a man of letters in distress; Boissy found himself unequal to the task of supporting the publication, and applied to Marmontel for his friendly aid:

'Destitute of assistance, finding nothing passable in the papers that were left him, Boissy wrote me a letter, which was a true picture of distress. "You will in vain have given me the *Mercur*," said he; "this favour will be lost on me, if you do not add that of coming to my aid. Prose or verse, whatever you please, all will be good from your hand. But hasten to extricate me from the difficulty in which I now am; I conjure you in the name of that friendship which I have vowed to you for the rest of my life."

'This letter roused me from my slumber; I beheld this unhappy editor a prey to ridicule, and the *Mercur* decried in his hands, should he let his penury be seen. It put me in a fever for the whole night; and it was in this state of crisis and agitation that I first conceived the idea of writing a tale. After having passed the night without closing my eyes, in rolling in my fancy the subject of that I have entitled *Alcibiade*, I got up, wrote it at a breath, without laying down my pen, and sent it off. This tale had an unexpected success. I had required that the name of its author should be kept secret. No one knew to whom to attribute it; and at Helvétius's dinner, where the finest connoisseurs were, they did me the honour of ascribing it to Voltaire, or to Montesquieu.'



## POETRY.

## ORIGINAL.

## FOR THE ANTHOLOGY.

## PROSOPOPŒIA UMBRÆ.

ÆMULA Dīs, Divisque prior ; Diva ipsa  
 futura,  
 Me nisi perpetuum tenebris damnasset  
 opacis  
 Jam Deus à primâ crescentis origine  
 mundi,  
 Quum solis radios et cœli accenderit ignes.  
 Illa ego sum terreni imitatrix corporis  
 umbra, 5  
 Cœlestisque inimica ; mihi ultima Tar-  
 tara parent,  
 Plutonisque domus, Atlântæique recessus.  
 Neu proavos quæras, primamve ab origi-  
 ne gentem,  
 Ipsa tero membris semper redeuntibus  
 ævum.  
 Atque mihi proprio vires reparantur ab  
 hoste. 10  
 Dant vitam, queis vitam adimo ; nu-  
 tricia præstant  
 Queis ego quotidie exequias et funera  
 duco.  
 Maxima naturæ populis arcana retexi,  
 Sideraque et vasti laqueata palatia cœli.  
 Admovi, astrorumque choros mortalibus  
 oclis. 15  
 Quod tenebræ lucēs, quod lux optata  
 tenebras  
 Excipiat, nostrum est ; requiem præbe-  
 mus amicam  
 Omnibus, alterno recreantes frigore ter-  
 ram.  
 Quin et, dum nigris orbem circumvolo  
 pennis.  
 Musarum quicunque sacris doctæque  
 litârunt 20  
 Palladis, ingenii condunt monimenta,  
 viamque  
 Affectant liquido super aurea sidera cœlo.  
 Per me pyramidum quondam fastigia  
 mensus  
 Dicitur esse Thales ; per me, qui fulmine  
 linguæ.  
 Fregit Alexandri patrem, sibi iudicis  
 aures. 25  
 Attentas fecit. Nec me tam credere vilem

[24... 'per me,' &c. DEMOSTHENES.

Quam videor, par est ; et me Narcissus  
 amavit.  
 Cæteraque ut desint ; quantum est, osten-  
 dere cœli  
 In terris faciem ? quid, quod neque cæte-  
 ra desunt.  
 Seu formam aspicias, non me Cephæia  
 virgo 30  
 Pulchrior, aut blando vates dilecta Phaoni.  
 Seu rapit attōnitum generis te fama ve-  
 tusti ;  
 Ante fui, quam tempus erat ; seu pectora  
 tangit  
 Ingenii sollertis honos ; mihi Cynthia,  
 fratre  
 Cum nitido, et magni debent præcordia  
 mundi, 35  
 Naturæ in latebris penitus, penitusque  
 reposita,  
 Detecta esse oculis per me mortalibus  
 ultro.  
 Sive es mirator rerum : mirabere nostras.  
 Nempe triumphatum Ponti de rege su-  
 perbo  
 Præsidio unius nostro quis nescit ? ego  
 ictus 40  
 Sustinui cunctos, quum tu, Romane, la-  
 teres,  
 Illustrem ex tuto jaculis dum conficis  
 hostem.  
 Haud aliter molem clypei septemplicis  
 unus  
 Opposuit ducibus Teuerisque ruentibus  
 Ajax.  
 Et tamen huic pugna, si verum quæris,  
 in illâ 45  
 Plus laudis merui ; clypeum nempe ille ;  
 ego memet  
 Hostibus objeci ; et quod plus mireris,  
 inermem.  
 Nec virtus hæc una mea est. Scit Fla-  
 vius olim  
 Si mihi te victo multum debere, Vitellî.  
 Scit Marius, fuis Numidis, captoque Ju-  
 gurthâ. 50  
 Quin ducibus magno stetit ignoratio nostri.  
 Quos inter Niciæ, qui, classem educere  
 portu

[30... 'Seu formam,' etc. *Forma Umbrae.*

[25... 'sibi iudices,' etc. *Fabula 'Asinâ umbrae.'*

[38... 'Sive es,' etc. *Virtus.*

[52... 'Quos inter Niciæ,' &c. *Vid.*

*Plin. lib. X. cap. 12.*



Dum pavet Actæam, magico contaminate  
victum

Credens roris fluxu vultum intabescere lunæ,  
Cecropias afflixit opes, quæ Martia corda

55

Romulidum simili faceret trepidare tu-  
multu,

Docti animos nisi firmasset sollertia Galli.  
Quid referam, quantos usus mortalibus

ægris,

Quos pecori præstem? Quis non um-  
bracula, quis non

Audivit gratas platani potantibus um-  
bras?

60

Munere quis nostro Phæbeam lampada  
nescit

Villosæ silva caudæ prohibere Seiorum?  
Quin, quibus usque pedum Titan defen-  
ditur umbra.

Umbripedes populi, qua Sol violentior  
arva

Æthiopum recta despectat cuspide, nos-  
trum

65

Agnoscant meritum. Quin et decus ad-  
dimus illi,

Quidquid Apellæi gaudent animasse co-  
lores.

Utque artis pars nunc tantum, sic decuit  
olim

Tota mihi, ad radios quum circumscri-  
bere solis

Humanam docui propria sub imagine  
formam.

70

Sed taceo; ne, quod reprehendit Tul-  
lius, omnes

Falsæ gloriolæ videar sectarier umbras.

...

L.

[71 ... 'Tullius.'—*Orat. in Pisone.*

*From Sewall's Poems.*

The following Speech, for substance, was actually  
made by a noted gamester in N.H. on obtaining  
a verdict against the unanimous opinion of the  
judges, by tampering with the jury.

WE cut and shuffled, stirr'd our stumps,  
But z—ds! they put us to our trumps.  
They held court-cards, led suit beside,  
With all four honours on their side.  
They play'd the deuce! but we more  
brave

Finess'd on hearts, and play'd the knave.  
We better knew the pack to fix,  
And won the game at last by tricks!

EXTRACT FROM SOUTHEY'S  
"MADOC."

MAID of the golden locks, far other lot  
May gentle heaven assign thy happier love,  
Blue-eyed Senena! . . . They loitered on,  
Along the windings of the grassy shore,  
In such free interchange of inward thought,  
As the calm hour invited; or at times,  
Willingly silent, listening to the bird  
Whose one repeated melancholy note,  
By oft repeating melancholy made,  
Solicited the ear; or gladder now  
Harkening that cheerful one, who knoweth all  
The song of all the winged choristers,  
And, in one sequence of melodious sounds,  
Pours all their music. But one wilder strain  
At fits came o'er the water; rising now,  
Now with a dying fall, in sink and swell  
More exquisitely sweet than ever art  
Of man evoked from instrument of touch,  
Or beat, or breath. It was the evening gale,  
Which, passing o'er the harp of Caradoc,  
Swept all its chords at once, and blended all  
Their music into one continuous flow.  
The solitary bard, beside his harp  
Leant underneath a tree, whose spreading boughs,  
With broken shade that shifted to the breeze,  
Played on the waving waters. Overhead  
There was the leafy murmur, at his foot  
The lake's perpetual ripple, and from far,  
Borne on the modulating gale, was heard  
The roaring of the mountain cataract. . .  
A blind man would have loved the lovely spot.

*For the Monthly Anthology.*

SHIPWRECK.

[Written in 1802.]

WINTER, clad in rude array,  
Held his empire o'er the day;  
Chill the sleety north-east blew,  
High its surges ocean threw.  
Now they lash the sandy shore,  
Whitening on the rocks they roar.  
Late the syren southern gale  
Wanton'd in the swelling sail;  
Late secure the vessel ro'v'd  
O'er the wave, that gently mov'd.  
The mariners exulting view  
The dim-discovered mountains blue.  
Then the storm began to lour,  
Fiercely beat the sleety shower,



Gathering ice the tackle binds,  
 Wildly howl to loosen'd winds.  
 To direct no friendly light  
 Glimmers through the gloom of night;  
 But the lamp, that erst so sure  
 Mark'd the course, thick snows obscure.  
 Now each unavailing care  
 Yields to helpless, wild despair.  
 Louder now the tempest raves,  
 Higher swell the heaving waves;  
 Now they dash the feeble skiff  
 On the craggy, pointed cliff;  
 Now ascends the dying groan;...  
 Nought avails the widow's moan,  
 Nought the tear by pity shed  
 O'er the relics of the dead.

H.

## EPISTLE TO A YOUNG FRIEND.

*By Burns.*

1.

I LANG hae thought, my youthfu' friend,  
 A something to have sent you,  
 Tho' it should serve nae ither end  
 Than just a kind memento;  
 But how the subject theme may gang,  
 Let time and chance determine;  
 Perhaps it may turn out a Sang:  
 Perhaps, turn out a Sermon.

2.

Ye'll try the world soon, my lad,  
 And, Andrew dear, believe me,  
 Ye'll find mankind an unco' squad,  
 And muckle they may grieve ye:  
 For care and trouble set your thought,  
 E'en when your end's attained;  
 And a' your views may come to nought,  
 Where ev'ry nerve is strained.

3.

I'll no say, men are villains a';  
 The real, harden'd wicked,  
 Wha hae nae check but human law,  
 Are to a few restricted:  
 But Och, mankind are unco weak,  
 An' little to be trusted;  
 If SELF the wavering balance shake,  
 It's rarely right adjusted!

4.

Yet they wha fa' in Fortune's strife,  
 Their fate we should na censure,  
 For still th' Important End of life  
 They equally may answer:  
 A man may hae an honest heart,  
 Tho' Poortith hourly stare him;  
 A man may tak a neebor's part,  
 Yet hae nae cash to spare him.

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5.

Ay free, aff han', your story tell,  
 When wi' a bosom crony;  
 But still keep something to yoursel  
 Ye scarcely tell to ony.  
 Conceal yoursel as weel's ye can  
 Frae critical dissection;  
 But keek thro' ev'ry other man,  
 Wi' sharpen'd sly inspection.

6.

The sacred lowe o' weel-plac'd love,  
 Luxuriantly indulge it;  
 But never tempt the illicit rove,  
 Tho' naething should divulge it;  
 I wave the quantum o' the sin;  
 The hazard of concealing;  
 But Och! it hardens a' within,  
 And petrifies the feeling!

7.

To catch Dame Fortune's golden smile,  
 Assiduous wait upon her;  
 And gather gear by ev'ry wile  
 That's justify'd by Honour;  
 Not for to hide it in a hedge,  
 Nor for a train-attendant:  
 But for the glorious privilege  
 Of being independent.

8.

The fear o' Hell 's a hangman's whip,  
 To haud the wretch in order;  
 But where ye feel your Honour grip,  
 Let that ay be your border:  
 It's slightest touches, instant pause...  
 Debar a' side-pretences;  
 And resolutely keep it's laws,  
 Uncaring consequences.

9.

The great Creator to revere,  
 Must sure become the Creature;  
 But still the preaching cant forbear,  
 And ev'n the rigid feature:  
 Yet ne'er with Wits prophane to range,  
 Be complaisance extended;  
 An atheist-laugh's a poor exchange  
 For Deity offended!

10.

When ranting round in Pleasure's ring,  
 Religion may be blinded;  
 Or if she gie a random sting,  
 It may be little minded;  
 But when on Life we're tempest-driv'n,  
 A conscience but a canker—  
 A correspondence fix'd wi' Heav'n  
 Is sure a noble anchor!

11.

Adieu, dear amiable youth!  
 Your heart can ne'er be wanting!  
 May Prudence, Fortitude, and Truth  
 Erect your brow undaunting!  
 In ploughman phrase, "God send you speed"  
 Still daily to grow wiser;  
 And may ye better reck the rede,  
 Than ever did th' adviser!



# THE BOSTON REVIEW,

FOR MARCH, 1806.

Librum tuum legi & quam diligentissime potui annotavi, quæ commutanda, quæ eximenda, arbitrarer. Nam ego dicere verum assuevi. Neque ulli patientius reprehenduntur, quam qui maxime laudari merentur.—Pliny.

## ART. 13.

*Reports of cases argued and determined in the supreme judicial court of the state of Massachusetts from Sept. 1804 to June 1805, both inclusive. By Ephraim Williams, Esq. Vol. I. 8vo. pp. 570. \$5 bound. Northampton, published by S. & E. Butler. 1805.*

WE congratulate the publick on the appearance of the present work; the first-fruits of the office of reporter, lately established by authority of the legislature. In arbitrary governments, where the people have nothing to do with the laws but to obey them, a work of this kind would be highly useful, tho' hardly to be expected; for decisions and precedents, like acts of the legislature, limit the power of rulers and judges: but that a free people, whose boast it is, that they are governed by *laws* and not by *men*, should be totally indifferent to what passes in their courts of justice is a thing we should hardly credit, on less evidence than that of experience. What should we think of the legislature, if our statutes were to be found only in the books of the secretary's office? Would it not be deemed a most criminal violation of the rights of the people; the most obvious of which is, that of *knowing* the laws by which they are governed? And yet a moment's reflexion will serve to convince us, that it is no less so, that the decisions of our courts

of justice should exist only in the breasts of the judges, or in the lumber of a clerk's office.

The law of this commonwealth may be divided into two heads; the statute and the common law: and this latter is properly distinguishable into two kinds, in respect to the source from which it is derived; namely, what we had, before the revolution, adopted from the English law, and such general customs or usages (for we acknowledge no *particular* ones) as have prevailed in this state, and have acquired the force of law, though they make no part of the English system of jurisprudence. Of our statutes, much the greatest number are private or special; and of those which regard the whole community, a considerable number refer to the organization of the government. They are of a political, rather than a civil nature. Of those which prescribe rules of civil conduct to the citizens, rules for making and expounding contracts, principles of decision on the questions daily agitated in our courts of justice, the number is small; indeed, it may be a question, whether our system of jurisprudence would suffer an injury by their total repeal. Besides, the exposition of statutes necessarily belongs to the judicial courts. The spirit, rather than the letter of the law, is what we are bound to regard. Plowden compares an act of the legislature to a nut. The words are only the



husk, or shell ; the sense or meaning is the kernel or soul of the law. It is the business of the courts to strip off the husk. He, therefore, who would understand the meaning of the statutes, must carefully study the judicial constructions, which, from time to time, have been put upon them.

But the maxims and rules of the common law greatly exceed those prescribed by statute, both in number and importance ; and of these, judicial decisions furnish the *only* evidence. What is the common law of this state ? A perusal of the records of the English courts of justice, books of reports, the treatises of the learned sages of the profession, preserved and handed down from the times of highest antiquity, will furnish the answer as it respects that part of our laws, which we have borrowed from the English ; but how is the line to be drawn between what we have adopted from the English law, and what has been rejected as inapplicable ? Our constitution furnishes us with a rule on the subject. Whatever has "been adopted, used, and approved in the province, colony, or state of Massachusetts Bay, and usually practised on in the courts of law," excepting such parts "as are repugnant to the rights and liberties contained in the constitution," is law here. But how shall we be enabled to apply this rule ? where shall we look for the evidence of this *adoption*, *usage*, and *approbation* ; the evidence of what has been the *usual* practice in our courts of law ? We have no books of reports ; no evidence of our judicial decisions ; no treatises of learned sages of the profession.\* History is of great

\* At Rome the opinions of the *juris-consulti*, called the *responsa prudentum*, were of great weight ; and a considerable part of the Roman law is founded upon them.

use in explaining laws ; but no one has taken the trouble, with reference to this subject, to examine the history of the state, from its settlement to the revolution. The legal customs and usages, which have sprung up among us, have never been collected. In short, our common law is truly an *unwritten* law. It is merely oral, or communicated by word of mouth. It rests altogether on uncertain tradition.

There is some uncertainty and contradiction in judicial decisions, compiled even by eminent lawyers, judges, and reporters appointed by authority, and preserved in print. But will there not be a thousand times more uncertainty and contradiction ; or rather, will there be any certainty, any uniformity, in decisions never committed to writing ? What would be the condition of our statute law, if it rested solely on the memory of the members of the legislature ? And what should occasion a difference in favour of judicial decisions, which are the proper and only evidence of those laws, which are ratified by the tacit consent of the people, when they depend on the memory of lawyers, or even of the judges who pronounced them. It is not an easy task to become thoroughly acquainted with the principles of the English law. It is a task of much greater difficulty, to become master of the law of this commonwealth. Our statutes are probably worse penned than the British ; and we have no chart to direct us in the search of our legal customs and usages. Our law does not deserve the name of science. Our judges cannot know, if they would, with any good degree of certainty, the points which have heretofore been decided. Is it then wonderful, that they should pursue the easier, but more dangerous course



of deciding all questions according to the impressions on their own minds, at the moment ; and then substitute their own private opinions in the place of law ? Such judges cannot be said to *declare* the law ; they *make* it. Like arbitrators, they make their award, and deliver their own opinions.

Some have imagined, that the records furnish all the necessary information on this subject. It may be observed, in the first place, that our records are far from being as perfect as they ought to be. The business is intrusted to clerks, often incapable, and too often remiss in the performance of the duties of the office. But admitting the records to be framed and kept in the best possible manner, still, from the nature of the thing, they furnish but little evidence of our legal customs ; because they rarely contain a sufficient statement of the facts, on which the decision is grounded, and never the arguments and reasoning of the court.

We have made these brief observations, as an introduction to the consideration of the work before us. We trust there are few of our readers, who are not equally with us impressed with the conviction that the *design* of this work is highly important ; that it is one, which, if well executed, promises more public utility than any measure our government has adopted since the formation of the constitution. A correct history of what passes in courts of justice is of incalculable advantage. With a single exception, it is the best of all books. It perpetuates the labours and sound maxims of wise and learned judges. It serves to make the path of duty plain before the people, by making the law a *known rule* of conduct ; and for the same reason, it diminishes litiga-

tion. It has a tendency to limit the discretion of judges ; and consequently, increases liberty. Where there are no fixed established maxims of law, the citizens are in the same situation as farmers, whose lands are not divided by any monuments or known bounds. They will be very likely to go to law, and very unlikely to obtain satisfactory decisions. Maxims of law are like landmarks.

"Limes agro positus litem ut discerneret arvis."

How far the work before us is calculated to answer these valuable ends, we shall hereafter have occasion to consider.

With regard to what is the best method of reporting, we are sensible that a difference of opinion prevails among those, most conversant with the subject. Some have been careful to state the facts at great length, to insert a full copy of the pleadings, the arguments of the counsel, as diffusely as they were delivered at the bar, the cases and authorities cited and relied on, and the opinions of the judges, at full length ; while others have given a very abridged state of the case, together with the mere point decided ; omitting not only the arguments of the bar, but the most of the reasoning of the court. It is obvious to remark, that each of these methods has its advantages and disadvantages. They are extremes ; and in this, as in every thing else, "in medio tutissimus ibis." Prolixity fatigues, while extreme brevity leads to obscurity. But there is a conciseness, which is no enemy to perspicuity, and a prolixity, which confounds, instead of enlightening. Perhaps it is not in the power of a reporter to say just enough for some readers, without saying too much for others. But we are decidedly of opinion, that modern reports are, in gene-



ral, too prolix. Expunge from them every thing not material in the statement of facts; every thing from the arguments, which does not bear on the question; and every thing given for the reasons of the decision which is wholly foreign and irrelevant, and many a huge folio would dwindle into a duodecimo. The eight or ten volumes of Vesey jun. would be reduced to two or three; Dallas would be reduced one half; Wallace\* to a few pages; Cranch would make No. 1, of Vol. I., and Root would entirely disappear. But our readers must not conclude from what we have said, that reports may not, in our judgment, be too concise. We are not believers in the "short cuts to knowledge." In reports it is indispensable, that all the material facts be correctly stated, the pleadings, when the case turns upon them, the judgment of the court, and the outlines of the grounds or reasons of the decision. Nothing trifling or impertinent should be inserted, and nothing material omitted.

Of the qualifications of a reporter, there can be but one opinion. He must possess industry to collect suitable materials, judgment to select and arrange them, and great accuracy in every thing. In a word, that is the best book of reports, which contains the greatest number of cases upon important points, in which the reasons and grounds of the decisions are so clearly set down that they cannot easily be mistaken; and he is the best reporter, whose works approach the nearest to this standard.

Mr. Williams, in a very modest and well written preface, which

...

\* Reports of Cases adjudged in the circuit court of the United States, for the third circuit.

prepossessed us in his favour, and led us to anticipate something good, appears to have been fully aware of the difficulties, with which he had to contend, and of the advantages and disadvantages of the different methods in use of reporting cases. It seems to have been his *endeavour* to avoid the extremes of prolixity and brevity. Where he deemed the points new and abstruse, he professes to be copious. In cases of less importance, and especially in matters of practice, he aims at conciseness. Not having the materials for reports, with which his office furnished him, submitted to our inspection, we are unable to determine whether he has omitted any case which ought to have been given to the publick. But we have no hesitation in saying, that some of those selected might have been spared, without any injury to the work. For example, what must foreigners think of the state of our jurisprudence, when it is thought necessary twice to state, as solemn decisions of our supreme court, that an administrator, and an individual in his own right, cannot join in prosecuting an action? [p. 104, 480.] That an action *for money had and received* does not lie for a surety, who has paid the debt of his principal? [p. 139.] Who ever supposed it did? A reporter should always bear in mind, that it is only cases of "weight and difficulty" that should be reported.

Some of the cases are spun out to a most unreasonable length, and contain matters which, for the honour of the state, we think, should never have appeared in print. If individuals will use or rather *abuse* the liberty of the press, in publishing what disgraces them and us in the judgment of our neighbours and of foreigners, it cannot be help-



ed; but Mr. W. is an officer of the government, and, as such, bound at all times to consult its honour. A reporter, like a witness, should report nothing but the truth; but he is not bound to state all that passes in court. We shall not much regret it, if foreigners should be disposed to question his correctness, when he states, that the first law officer of the commonwealth persevered in an attempt to file a plea in abatement [*Martin v. the Commonwealth* in error, p. 353] after several general imparlances, and after a plea in bar had been pleaded at a former term. If there is any principle of law well established in our courts, it is, that a plea in abatement cannot be received in another term, after a general imparlance. We are at a loss to understand what the attorney-general means by saying, "that the court of exchequer, to which an appeal from the admiralty lies, has not judiciary power. No writ of error lies to that court." [p. 873.]

Some of the cases in this volume are so very *particular* in their facts and circumstances, that they cannot operate as precedents on other occasions. They should have been omitted. It seems we are indebted to the grand jury for the county of Plymouth for one needless report. [*Commonwealth v. O'Hearsey*, p. 137.] The attorney-general drew the indictment against his own opinion, out of *respect to the grand jury*. Possibly the reporter, following the attorney-general's example, inserted it in his collection, against his better judgment. By this means, we poor reviewers have been obliged to peruse it much against ours. We cannot but think that the poor culprit has conducted, in this business, with the most propriety. He confessed the facts, and left it to the court, without troubling them

with counsel, in so plain a case, to declare the laws. We hope all concerned will profit by this example.

We are also of opinion, that the arguments of some of the judges, in the case alluded to, [*Martin v. the Commonwealth*] as well as in many others, might have been condensed, with advantage to the publick, and without doing any injury to the arguments themselves. We are not agreeably impressed with "wordy eloquence" from the bench; still less, with attempts at eloquence without success. As the style of laws should be concise, plain, and simple, so decisions of courts, which declare the law, should be neither diffuse, tumid, nor rhetorical. The language of judges should correspond with the dignity of the office, and with the majesty of the subject. Great ornament is as ill-becoming in the style of a "reverend judge," as a black gown, turned up with pink, (the dress of the federal judges) is unbecoming his person.

We believe that there is a style and manner peculiarly fitted to the bench. An eloquent harangue at the bar or in the senate would be unseemly from the mouth of a venerable judge. The sages of the law, who are "*legibus patriæ optime instituti*," who may justly boast of the "*viginti annorum lucubrationes*," should not for a moment be suspected of sacrificing precision to the harmony of periods. Lord Mansfield was a scholar and an orator; but his eloquence at the bar, in the senate, and on the bench, were as much unlike each other, as the eloquence, of which we complain, is unlike either.

After all, we are not enemies to true eloquence. And when our judges shall have taken as much pains in forming opinions in the cases before them as Lord Mans-



field *always* did, and shall have spent as many years in the acquisition of polite and elegant literature as he did, we shall not object to their being as eloquent upon the bench as his lordship. It will no doubt subject us to the "suspicion of dulness," yet we shall not scruple to declare, that in a judge we prefer labour to genius, and painstaking to ingenuity.

Among other instances of prolixity that occur in these reports, may be mentioned, the case of *Smith v. Bowker*, [p. 76] which occupies nearly six pages. By the way, the defendant is called *Joseph* and *Jotham*; which is the true name?

We think something like the following would have comprized every thing material in the case. If we are correct in this, it shews how much might have been gained by a judicious abridgment of many of the cases in this volume.

"This was trespass for taking the plaintiff's cows. A case was stated for the opinion of the court, in substance, that the present plaintiff had before made a promissory note to one Sweetser, who purchased a writ of attachment thereon against the plaintiff, calling him of Orange, in the county of H., instead of Athol, in the county of W., his true place of abode. Service was made by J.S., deputy sheriff of H. county, that he had attached a hat, the property of A. S. named in the writ, and left him a summons for his appearance. This summons was left at the dwelling house of the plaintiff in Athol, in which town he has always lived. There was no appearance, and judgment was rendered, by default, at the first term, and execution issued and directed to the sheriffs, &c. of W. and H. counties, describing the parties as in the writ of attachment, and was

delivered to the defendant, a deputy sheriff in W. county, who, by virtue thereof, took the cows mentioned in the declaration, and sold them to satisfy the execution. For the defendant was cited *Crawford v. Satchwell*, 2 Stra. 1218. The court was clearly of opinion, that the defendant was not a trespasser. He was justified by his precept in doing what he did. Smith should have appeared and pleaded the wrong addition of place in abatement. By not doing so he waved the mistake, and he now comes too late to avail himself of it. Judgment for the defendant."

*Simmons &c. v. W.C. Apthorp &c.* [p. 99] petition for a review, or new trial. The case is not long, but it might have been shorter. It would have been sufficient to state, as in the margin, that it was determined by the court, that on such petitions the petitioner shall be confined, on the hearing, to the allegations in the petition.

The case of *Hall v. Hall* [p. 101] is too trifling to merit insertion. The decision is also, to say the least of it, questionable. It was probably made without any consideration. We think the oath of a witness to prove payment as "high" and better evidence, than the bare receipt of a collector of taxes.

*Clap v. Joslyn* in review [p. 129]. The circumstances of this case were very particular, and such, it is to be hoped, as will never happen again. It was unnecessary to state them. All that seems useful to mention is, that in this case the court settled it as a rule of practice, that in an action of review, granted by the court under the statute, the court may, on a rule to shew cause, quash the writ for want of notice to the adverse party, of the application for a review; or,



the court may then hear the parties on the merits of the petition for a new trial.

Walker &c. v. Maxwell, [p. 104.] In this case two new questions were decided. 1st, that the allegation, by a defendant who belongs to another state in the union, that the debt for which he is now sued has been attached in his hands as garnishee by process of foreign attachment in his own state, at the suit of a creditor there, *...that all the proceedings in the foreign attachment were pursuant to the statute in such state*, is not sufficient. The statute should have been set forth, that the court might see whether the proceedings were authorized by it or not. 2d, that amendment may be allowed, after argument on demurrer. We have called these *new* points; the second was not a new question, being the same that was decided in Holbrook v. Pratt, [p. 96] but the decision was *new*, being directly contrary to the former one.

This case occupies twelve pages, little less than a fortieth part of the volume, and costs every reader 10 cents, *...a great deal more than it is worth*. It was not necessary, to state the pleadings; that part printed in italics and the substance of the rest would have been sufficient. There is nothing in these records of pleadings so excellent as to merit insertion at length.

It is but justice to Mr. W. to say, that his statements of facts seem much more correct than those drawn up by the counsel, which are often stuffed with impertinent matter; and in some instances so erroneous, as to require correction by the reporter.

Other examples might be given of statements and reports unnecessarily prolix. There are also

cases where the statements are incomplete. But we shall leave it to the sagacity of our learned readers to discover and point them out. On this subject we shall barely mention some slight inaccuracies in the case of Harris v. Clap, &c. [p. 308].

It would appear from many parts of the report that the judgment was *at law* and not *in equity*. And yet the chief justice speaks (p. 319, 320) of the surety coming into the court as a court of equity for relief.

The four judges, who were of opinion for the plaintiff, agree that the interest on the award shall commence at the expiration of 120 days from the acceptance of it in the common pleas, which was 1st Tuesday January 1798; and yet the interest appears to have been cast from the 13th June 1798, the time of commencing the suit on the bond. The judges do not seem to be agreed as to the time, from which interest *might* be computed on the penalty. Thacher J. fixes on one hundred and twenty days after the judgment on the award, as the period. Sewall J. (we think with more propriety) fixes on the demand, that is, the commencement of the suit in the case before the court. It would seem that the judgment was at law. The debt adjudged to the plaintiff was \$5000 the penalty of the bond, and \$1480,55 cents, as damages for the detention of the debt; and yet the true measure of damages seems to have been declared to be the penalty and interest on it from the commencement of the suit. What but equity prevented the plaintiff from recovering *full interest*, viz. \$2025? The defendant did not ask equity. We have not looked into this point. Perhaps



courts of law assume the right of limiting interest to the equity of the case. The doctrine may be, that the penalty is forfeited, and that the court, in their discretion, give *such damages*, and no more, for the detention of the debt, as the plaintiff shall have sustained. The one shilling usually given in England seems to imply, that some damages must be given, and that less than the whole interest may be given. It has not been usual here to give any damages for the detention of the penalty of a bond, and the framers of the statute of 1 March, 1799 [III. p. 29] do not seem to have conceived, that interest might be given on the penalty or damages for the detention of it.

We were singularly struck with the case of *Porter v. Bussey*. [p. 436.] No reason is given for the decision, but we are favoured with a very good argument of one of the learned judges against it. We cannot say what our opinion might have been, if we had been favoured with the reasons of the court. At present we incline to the opinion of the judge, who dissented.

Doubtless other cases besides those mentioned will occur on a careful perusal of this volume, in which the critical and learned reader may be inclined to think, that the facts have not been clearly and concisely stated, and the grounds of the decision perspicuously reported. But they are not very numerous, nor are the defects perhaps very important. We think the greatest error is on the side of prolixity. The author has too often, we believe, "yielded to inferior sense, and doubted his own;" a fault not very common at the present day, and which the reporter will probably mend, if he continue to follow the trade of an author. At the beginning of the

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work we observed a small impropriety, which the reporter seems himself to have corrected at an early stage. We mean the describing of the action immediately after the names of the parties: thus, "Debt. This was an action of debt." "Assumpsit. This was an action of assumpsit," &c. But there is another redundancy, which runs through the whole work. We allude to his always naming the judges who concurred in the opinion stated. We think the publick ought to know, what judges decided; but we are of opinion, that this knowledge would be better communicated by stating, in general terms, that the unanimity of the court is to be understood in every case, where a difference of opinion is not expressly stated; and where all the judges did not attend, at any term, or in any particular cause, a short note at the beginning or end of such term or cause, as the case may be, would have saved a great number of very unnecessary repetitions.

Where a judge adds nothing to the grounds or reasons of the decision, it seems quite unnecessary to state that *such* — justice thought the plaintiff was entitled to judgment, and not the defendant. It would be sufficient simply to say, that such justice or justices concurred.

It has appeared to us, that Mr. W. is not particular enough in his method of citing statutes. In some instances we are left to conjecture what statute was intended. The date of our statutes is generally given, but the titles being sometimes omitted, and several having been enacted on the same day, considerable time is sometimes required to find the one referred to. We readers expect that authors will spare no pains to promote our



ease and convenience. It would have been easy for Mr. W. to have referred to the volume, page, and even section of the act. When he has done this, we have found our labour considerably lessened.

The learned judges [in p. 60, 61, &c.] speak of the statutes of Edward the third, and James the first, relating to the office of justice of the peace. Either they or the reporter should have informed us, what particular statutes were intended. During the long reign of the former, no less than three hundred and eighty-six statutes were made. It is possible the judges referred to Edward III. anno 1, c. 16, 2 c. 6, 4 c. 2, 9 c. 5, 18 stat. II. c. 2, 18 stat. IV. 34 c. 1. James I. anno 7, c. 5, 21 c. 12. The same remark applies to some other English statutes alluded to in the work.

The references to the very few authorities cited are generally correct; but what book does the author mean by I. Wm.'s Abr. 427, [cited in p. 50]? Does he mean I. P. Wm.'s Rep. p. 429, or Wm.'s Dig. of the stat. law, which is in a single volume in our edition?

We have observed also a loose method of quoting passages from statutes, &c. These quotations, in our opinion, should be exact. The author is not obliged to take any more than what he deems apposite; but he should cite literally. And though perhaps the variations in this volume are not very material, yet we condemn the practice as leading to error.

On a careful perusal of this volume, but not with any particular view to find errors in grammar, or errors of the press, we have discovered, as we conceive, a number, not noted by the author in his errata. Some of these we shall subjoin to our report. They are sufficiently numerous to prove,

that our authors and printers are too negligent, when they appear before the tribunal of the publick. To the haste with which the work appears to have been prepared for the press, and run through it, is no doubt to be attributed many of these mistakes. But, we think, the publick would have gained more in correctness, than they would have lost by delay, if the publication had been deferred a few months. We can assure our readers, that we have not wished to find errors. It would have given us more pleasure to have pronounced the work faultless. Mr. W. is a lawyer, and from his notes it would appear, that he is no mean one. We consider these notes as judicious, and useful in illustrating, and sometimes correcting the text. We wished to meet with them more frequently. Professional gentlemen are greatly indebted to Mr. Douglas for his learned and careful notes in his very excellent reports. When the decisions of the King's Bench, with lord Mansfield at the head of it, admit of illustration and correction from notes of a reporter, no court in this country can complain of this freedom taken with their determinations. It has, besides, the sanction of Mr. Justice Foster's opinion and example.

It is not, perhaps, expected that we should review the decisions and opinions of the court, contained in this volume. This task will be undertaken by the several members of the profession, labouring in their vocation, by the publick, by our judicial tribunals, and we hope by the learned judges themselves. Decisions in this state have been hitherto so little regarded, that, we have no doubt, some of these will be questioned; and that succeeding judges will go upon broader



ground, than that avowed in England, where it is held, that judges are bound by determinations previously and solemnly made, where the same points come again in litigation; except where the decisions are *most evidently* contrary to reason, *manifestly* absurd or unjust, or *clearly* contrary to the divine law. It would, perhaps, be going too far to say, that any of the judicial opinions recorded in this volume are deserving of these harsh epithets; and yet we will venture to predict that some of them will be found incorrect; and that they will neither receive the sanction of succeeding judges, nor the approbation of the sages of the law in the other states. We will venture to include in this number the decision [Bartlett v. Knight. p. 401] contrary to a former one in this state, that a judgment, brought from another state in the union, has not the same effect here, which it would have had if used in the state in which it was recovered.\* The reasoning of the learned judges (if it merits to be called reasoning) in support of their opinion, carries little weight with it. The contrary was decided in the circuit court of the U. S. in Pennsylvania [Armstrong v. Carson's Ex'rs. 2 Dall. Rep. 302]. We think, with Mr. Justice Wilson, that whatever doubts there might be on the words of the constitution, the act of congress has effectually removed them, having declared in direct terms, that the record shall have the same *effect* in the court into which it is carried, as in the court from which it was taken. We are the more dissatisfied with this decision, because it *seems* to savour of a spirit of disunion. It has

\* The Chief Justice and Justice Strong were not present when this decision was made.

some appearance of a preference (which, we fear, is unjust) of our judicial proceedings to those of the other states in the union.

We cannot subscribe to some of the opinions expressed in the case of Foster v. Abbot Adm'r. [p. 234.] We think the facts of the case furnished a complete bar. What do the learned judges mean by a decree of insolvency? If they mean a decree of distribution, do they intend to assert that, till this decree is made, a creditor, whose claim is rejected by the commissioners, and who does not prosecute by way of appeal according to the statute, may sue at common law?

Nor can we yield our assent to the decision in the case of Fales v. Thompson, [p. 134] on the point that the assignees of a bankrupt are not entitled to come in and prosecute a real action commenced by the bankrupt.

In a case, circumstanced as that was, we incline to the opinion that the deed of Asa Thompson, the father, was fraudulent as against the plaintiff.

Other decisions might be mentioned as exceptionable; but we forbear entering further into the subject. If the learned judges should be disposed to think, that we have already gone too far, we trust that we shall have their forgiveness, when they consider that we have differed less in opinion with the court, than *they* have differed from each other. We can assure them, that the observations we have made, have not proceeded from a desire, on our part, to depreciate their learning or talents, for which we have the most cordial respect; nor with a view to lessen the value of Mr. W.'s labours; for we believe, they will prove advantageous to the publick, and honourable, we sincerely wish we



could add profitable, to him ;—but principally, that we may have an opportunity of expressing our sincere conviction, that our system of jurisprudence is *radically* defective, and that we shall never have any thoroughly examined and well-digested determinations, decisions which will stand the test of time and serve as permanent and fixed rules, so long as the judges, the depositaries of our law, are wandering through the state, without any fixed or permanent place of abode.

The old proverb that a “rolling stone gathers no moss” is not more true, than that a court, constantly in motion, settles and establishes no principles of law. When the principal business of a court is to *travel* and to *retail* the law in every county town, is it reasonable to expect deep research, nice discrimination, or copious discussion on legal questions? Let our readers figure to themselves our supreme judicial court in session at Lenox, for example. Questions of law and trials of fact are blended together on the docket. Amid the tumult and bustle necessarily incident to trials by jury, counsel occupied and teased with clients, witnesses, &c. it is easy to see how questions of law will be argued, even by eminent counsel. The judges, long absent from their families, can hardly be supposed to be perfectly at ease in their minds. Denied all access to books, and fatigued with the labours of the day, and liable, from their situation, to constant interruptions, they cannot so much as have an opportunity of communicating their sentiments, or of hearing one another’s reasons. On Saturday morning they *must* pronounce judgment. Under such circumstances is it not cruel to exact an opinion, and ridiculous to

expect a matured and well-digested one? The first thoughts which occur to a sensible, and if you please to a learned lawyer, on legal questions, may be reasonable, we grant; but they may not be *so* reasonable, *so* just, as after thoughts. The conjectural positions of natural reason, if not fortified by precedents, if not confirmed by elementary writers, or if they are not the result of much previous study and patient investigation, are always to be distrusted. A judge should think reasonably, but he should think and reason as one “long accustomed to the judicial decisions of his predecessors.” He should be well versed in history, and especially in the history of the constitution, laws, manners, and customs of his own country.

The study of New-England antiquities, if we may be allowed the expression, is a necessary qualification of a New-England judge. We recollect having been, a few years ago, strongly impressed with its importance on reading Hazard’s Historical Collections. It is well known, that in New-England much greater regard is shewn to probates and letters of administration brought from the neighbouring states, than is allowed by the English law, or by the laws and usages of the other states in the union. We have found our courts admitting executors and administrators to sue here on the authority of letters obtained in other states, tho’ we do not recollect that we ever heard them explain the origin of this deviation from the English laws.

It appears from the journal of the commissioners of the united colonies, 19th of the 7th month, 1648, [II. Hazard, 124, 135] “certain propositions were *commended* by the commissioners to the con-



sideration of the general courts of the several colonies," which, as far as relates to our present purpose, were, "that, for the more speedy and free passage of justice in each jurisdiction, wills, proved and certified in one of the colonies, without delay be accepted and allowed in the rest : and that administration, granted in the colony to which the intestate belonged, being duly certified, be in force for the gathering in of the estate in the rest of the colonies." By returns of the commissioners, it afterwards appeared, that all the general courts had assented. Would it not have been desirable, that the legislature should have made provision for publishing *all the old laws* of the province, rather than the *private acts* passed since the revolution ? It is apprehended, that the knowledge of these is absolutely necessary to a thorough understanding of what is now considered as the common law of this commonwealth.

On perusal of this volume of reports we were forcibly struck with the small number of cases and authorities cited. Those of our own courts do not exceed ten, and those from the English books, probably, fall short of one hundred. Both lawyers and judges seem to be sparing of authorities, and liberal of declamation and reasoning upon general principles. In this particular the work unfortunately resembles Root's reports. Decisions, which rest altogether on the good sense of the judges who *make*, we ought not to say, who *pronounce* them, will be of little use. They do not make, what was uncertain before a permanent rule, for a rule implies something binding, something which is to be followed. In such cases the succeeding judge will be too apt to decide as his predecessor did, that

is, according to his own private sentiments ; and thus we cannot expect to have the scale of justice even and steady. It will waver with every new judge's opinion.

It would give us pain to find evidence in these reports, that our learned judges are unfriendly to the use of precedents ; because it would indicate a greater reliance on their own abilities, (and we acknowledge they are great) than any men, in our opinion, are justified in entertaining. We are far from yielding a blind obedience to authorities. There are cases, which do not require them, and there are decided cases, which weigh little against clear and solid principles of reason. But it is well known, that the rules respecting contracts, which furnish a great branch of civil business, are, in general, the same in this and most European countries, being mostly derived from the civil law. We ought to avail ourselves of their decisions. It is safer for the wisest judge to lean on the matured and well-settled opinions on such questions, than on his own private judgment. We are pleased with lord Kenyon's sentiments on this subject. "Those, who are confident in their own superiour abilities," says that sound lawyer and able judge, "may perhaps fancy that they could make a new system of laws, less objectionable than that under which they live. I have not that confidence in mine ; and am satisfied by the decisions and series of decisions of great and learned men, on the rules of law ; and it is my duty, as well as my inclination, to follow and give effect to those rules." The same great judge, speaking of lord Hardwicke observes, that his knowledge of the law was most extraordinary ; that he had been trained



up very early in the pursuit, and had the greatest industry, as well as abilities, and in short was a consummate master of the profession. Yet he observes, "it was not the practice of this great judge to give his opinion on a sudden; but after mature consideration, and after hearing all that could be said for and against the point in question."\*

Judges, who do not avail themselves of the "light and assistance" of former precedents, will be often found differing in opinion. In the course of nine months, and in the trial of little more than one hundred causes, we have observed a difference of opinion on the bench in no less than fifteen instances.

In the King's Bench, during a period of thirteen years, every rule, order, judgment, and opinion was unanimous. This gave weight to the decisions, certainty to the law, and infinite satisfaction to the suitors. How honourable to the law, and we may add, to the judges! They were all men of unquestionable abilities, and some of them, as lawyers, not inferior to Lord Mansfield himself. But all were "long personally accustomed to the judicial decisions of their predecessors;" all felt themselves bound by them. No one thought himself at liberty to "decide according to his own private judgment, but according to the known laws and customs of the land." This extraordinary unanimity affords the highest evidence of their *industry* as well as candour. Lord Mansfield alluding to it, says, "it never could

have happened, if we did not among ourselves communicate our sentiments with great freedom; if we did not form our judgments without any prepossession to *first* thoughts." Too many of our judicial opinions are nothing but *first* thoughts.

If the present volume of reports should be less esteemed in the other states, than those of Mr. Dallas, we think it will not be on account of any superiority of Mr. D. over Mr. W. *as a reporter*: and we are very unwilling to admit that the judges of Pennsylvania, and especially of the common pleas, (of which court there are some excellent decisions in Dallas) are men of superior abilities to the judges of our supreme court. If the decisions of the former should be deemed superior, it must be ascribed to the favourable advantages under which they were made. In that state questions of law are principally decided in Philadelphia, and trials of fact and issues of law are not mixed up together as with us. The mention of Dallas's reports reminds us of a hint to Mr. W. suggested by the perusal of the volume before us. We have observed in a few instances expressions which it would have been well to have avoided, some of them peculiar to New-England. We have no doubt Mr. W. has taken pains on this subject; and we think the work is, in this respect, more correct than any legal work yet published in this state. Instead of summing up to the jury, Mr. W. speaks of *charging the jury*; for evidence produced by the prosecutor, he speaks of evidence produced by *government*; for first count in the indictment, in some instances, he says, *first charge* in the indictment; he uses, exceptions *made*, instead of *taken*, to a plea; motion reject-

\* If our judges have objections to the use of *English* authorities, there does not seem to be any reason why they should not avail themselves of American. We do not recollect to have met with a single quotation, either by the bench or at the bar, from Sullivan's *Land Titles*.



ed, for motion did not prevail ; holding a term of the court, for session ; letters of guardianship set aside, for revoked or annulled ; passing a decree, for making a decree. We imagine the foregoing expressions will seldom be met with in correct legal writings. But our great objection to this work, as far as Mr. W. is responsible for it, is its bulk. Its size is unreasonably swelled by large type and large margin. By expunging all unnecessary matter, compressing what ought to be compressed, using a type similar to that used in the London edition of Burrow's reports, 2d edition, the work might have been comprized within something less than half its present bulk. It might have been published as the *first part of volume first*, to the great saving of the purse and time of purchasers and readers.

This work, though "sent to its account with all its imperfections on its head," (and they are not a few) we nevertheless recommend to the profession and to our readers. We sincerely hope Mr. W. will persevere. We wish him a double portion of the spirit of patience and labour. He already possesses judgment and accuracy of thinking ; and we will venture to assure him, that he will in due time, if he faint not, inherit the reputation of an excellent reporter. Let him always bear in mind, and let it animate him to use double diligence, that the man, who employs his time and talents in transmitting to posterity with accuracy, precision, and true judgment, a history of cases of weight and difficulty, is a real benefactor to the publick : And surely there never was a time, when such labours, however they may be appreciated, were so much needed.

They cannot do all the good they ought ; but they will do much. The legislature must do the rest. We respectfully entreat that honourable body to consider the judiciary as an object of much the greatest importance of any confided to their care. We believe it is in their power to lay the foundation of a system of jurisprudence, which in a few years may even equal that of Great-Britain. To accomplish this, it is indispensable that the trial of facts and law be separated. The former should be in each county, and the latter in one, or, at most, in two or three stated places. There is, in the nature of things, no more reason why questions of law should be determined in each county, than that the statutes should be framed and enacted in each county. County lines have nothing to do with either ; and it is just as proper that the legislature should be ambulatory, as that a court, not of trials, but of law, should be so.

Let the legislature shorten their own sessions, and apply the saving to the support of the judiciary. The people would be *every way* gainers. In England the judiciary costs the nation a large sum ; but not half so much as it is worth to the legislature...nothing. In this state the legislature costs the state a large sum, the judiciary...a mere trifle. It is time to abandon the expectation of law from a court of pie-poudre. Let not this institution of reporter be suffered to languish and die, for want of encouragement. Let the legislature strengthen the "things that are ready to perish." We may then look forward through the humiliation and gloom of the present time to the period, when our judicature shall lift up its head among the states ; and when our judicial



decisions shall become the envy of our neighbours, and the admiration of the world.

Since the publication of this volume the publick have sustained a great loss in the death of the venerable Judge Strong. His integrity never was called in question. He was a sound lawyer, and well versed in the most dry and least attractive branch of the profession...the doctrine of pleading.

Errata not noted by the author.

- P. 3 l. 35 } for "26 February," read 27  
160 28 } February.  
483 4 }
- 33 14, after "county," strike out the six following words.
- 39 4, for "constitution" read construction.
- 42 29, for "prima" read primæ."
- 45 20, the sentence following is unintelligible.
- 58, margin, expunge the word "taken."
- 87 l. 21, for "this meeting" read their meeting.
- 92 20, for "diversion" r. diverting.
- 101, margin at bottom and index "deceit" for "an action brought against him for the articles," r. for an action brought against him for the price of the articles.
- 104, margin, for "promisser" r. promisee.
- 134 l. 24, and margin, for "February 27" r. February 26.
- 135 29, for "June 23, 1801" r. June 23, 1800, (probably.)
- 152, note, last line, for "March 10, 1784," read February 6, 1784.
- 198, margin, "Particular statutes of insolvency" would be more proper than "Statutes of bankruptcy." See V. Acts of Cong. sec. 61 p. 81.
- 201 l. 28, for "account" read decree.
- 202 28, for "plead" read pleaded.
- 203 4, for "administrator" r. executor.
- 304 15, and index "Statutes of Commonwealth," for "19th June" read 20th June.
- 307 25, for "no statute" read a statute.
- 362 34, for "exigences" r. exigencies.
- 374 20, for "are" read were.
- 386 1, for "were" read was.
- 10, the sentence following is incorrect.
- 427 34, "prescription" is not the proper word.

- 430 2, for "were sworn" r. were not sworn.
- 445 13, for "was sufficient" r. was not sufficient.
- 454 1, dele semicolon after "contested." There are many errors in the punctuation.
- 460 6, for "9th section" r. 10th section.
- 475 32, for "afford" read offend.
- 495 17, "Judgment arrested," quere de hoc.

#### INDEX.

- "Courts," l. 5, for "objection may be taken" r. objection may be made.
- "Declaration," for "had" r. bad.
- "Evidence," l. 1, for "indorser" r. indorsee.
- "Joinder in action," for "180" r. 480.
- "New trial," l. 4, 5, for "539," r. 530, 541.
- "Review 4," for "157" read 160.
- "Statutes of the Commonwealth 1786, July 7 (References)," for "443" r. 158.

It is possible, that the copy of the statutes, &c. cited and referred to, which we have used, may be incorrect; for very few of our publications, not even excepting the statutes, have any pretensions to correctness.

#### ART. 14.

*Sketches of the life of the late Rev. Samuel Hopkins, D. D. pastor of the first congregational church in Newfort, written by himself; interspersed with marginal notes extracted from his private diary: To which is added, a dialogue, by the same hand, on the nature and extent of true christian submission; also, a serious address to professing christians: closed by Dr. Hart's sermon at his funeral. With an introduction to the whole by the editor. Published by Stephen West, D. D. pastor of the church in Stockbridge. Hartford, Hudson & Goodwin. 1805. pp. 240.*

NOTHING but the celebrity of Dr. Hopkins's name would have induced us to give that attention to these memoirs, which is commonly expected of reviewers; for we



imagine they will be very interesting only to those, who have adopted his system of theology, or who are inclined to lay equal stress with him on the variety and frequency of what are called religious experiences. Indeed, the private thoughts and transient feelings of any man, when minutely registered in a diary, cannot be very intelligible to others, even if they are always understood by the writer; and a reader, unaccustomed to the kind of "exercises," which are here detailed, might imagine, that he had been perusing the journal of a valetudinarian, or listening to the reveries of a love-sick maid. For ourselves we confess, that we think these emotions and drawings-out of the soul have not much to do with the growth of habitual piety, and the fruits of good living. We should not think the more highly of the filial affection of a child for his parents, because he had kept a bulletin of his yearnings and longings for them in their absence, or because in all his letters he had told them how much or how little he loved them. Neither do we think the character of a christian can be so safely estimated from the transcripts of his diary, as from the tenour of his conduct. By these remarks we mean not to depreciate the piety, or undervalue the eminent graces of Dr. Hopkins; for we sincerely believe, that his readers will think more favourably, than he did himself, of the sincerity of his christian faith and conversion. Much less would we interrupt the consolation, which any christian may be disposed to receive from this record of religious doubts and confidences; a record, which will undoubtedly be read by many, whose sentiments and passions, whose

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hopes and fears are similar to those of Dr. Hopkins.

These sketches are introduced by some proper remarks of the editor, written in a much better style, than any other part of the volume. The facts in Dr. Hopkins's life, as in the life of every studious man, are few. We learn, that he was born Sept. 17, 1721, and died Dec. 20, 1803; that he was admitted into Yale college at the age of sixteen; that he resided much in the family of President Edwards, with whom he studied divinity; that he was settled first at Housatonic, 1743; that he was dismissed in 1769, by the advice of a council, on account of the deficiency in his pecuniary support; that he was afterward invited, after much opposition, to settle at Newport; that his enemies were at length reconciled to his sentiments; that he was ordained there April 11, 1770, and continued with this people, through many difficulties and discouragements, till the day of his death.

These memoirs contain also some domestick anecdotes, and, what will be more interesting to the theological reader, some account of the controversies, in which the Doctor was engaged. As he has given his name to a large and respectable class of christians in the United States, it may not be uninteresting to our readers to have a regular list of the Doctor's publications. The principal benefit, which he is supposed by his friends to have conferred upon the science of theology, may be stated in the words of the fond editor of this little volume.

To Doctor Hopkins are we indebted for a better understanding of the design and end of what are generally termed *the means of grace*, and their use and appli-



cation as they respect impenitent, unconverted sinners, than was before had. His discerning mind, in the early part of his publick ministry, discovered a manifest inconsistency in the exhortations and directions given to unbelievers by eminent divines, with the doctrines they publickly taught and strenuously maintained. Though the doctrine of the total moral depravity and corruption of the human heart was clearly taught, and forcibly urged by Calvinistick divines; and, clear evidence produced from the holy scriptures, that all the exercises of the natural heart—all the doings and services of unregenerate sinners, were, not only unacceptable, but hateful in the sight of God; yet to such doings and services did the unregenerate find themselves exhorted and urged; and this as the appointed way to obtain the favour of God and converting grace. Though the doctrines were just and scriptural, the exhortations naturally operated, rather against, than in favour of the sinner's sensible conviction of their truth. By attending to the Doctor's writings on this important subject, it soon became obvious, that, as the holy scriptures require the immediate exercise of godly sorrow and repentance, sinners of no description are ever to be exhorted to any other doings, or supposed duties, than such as imply love to God and holiness.

No uninspired divine, before Doctor Hopkins, had ever set this subject in a proper and scriptural light. And the benefit derived to the christian cause, from his writings on this interesting and important subject, is sufficient to compensate the study and labours of a whole life. P. 8.

The first publication of Dr. H. was three sermons, entitled, "*Sin through divine interposition, an advantage to the universe, and yet this no excuse for sin or encouragement to it.*" 1759. These had a second edition in Boston 1773, and one in Edinburgh about the same time.

In the year 1765 was published "*An enquiry concerning the promises of the gospel, Whether any of them are made to the exercises and doings of persons in an unregenerate state?*" Containing remarks on two

sermons, published by Dr. Mayhew of Boston." A reply was made to this book by Mr. Mills, a calvinistick minister in Connecticut.

In 1768, a sermon which I preached in the old south meeting-house in Boston was published at the desire of a number of the hearers. The title of it is, "*The importance and necessity of christians considering Jesus Christ in the extent of his high and glorious character.*" The text Hebrews iii. 1. It was composed with a design to preach it in Boston, as I expected soon to go there, under a conviction that the doctrine of the divinity of Christ was much neglected, if not disbelieved by a number of the ministers in Boston.

In the same year I published two sermons, one from Romans vii. 7. the other from John i. 13. containing sixty-five pages in a small comprehensive type. A second edition of these sermons was printed in 1793.

In the year 1769 I published my answer to Mr. Mills of one hundred eighty four pages, octavo, on a small comprehensive type. The following was the title of it. "*The true state and character of the unregenerate, stripped of all misrepresentation and disguise.*"—I believe this book, with what was afterwards published on the same subject, was the means of spreading and giving much light and conviction, with respect to the real character and doings of the unregenerate; and has in a great measure put a stop to exhorting the unregenerate to do duty in order to obtain regeneration, which was very common among preachers before that time. P. 95.

The bold positions, contained in these works of Dr. Hopkins, called forth remarks from several of that class of divines, who chose to be called moderate calvinists. We prefer to relate the progress of the controversy in the unaffected simplicity, and self-complacency of the Doctor's own language.

In the latter end of the year 1769, or beginning of 1770, Mr. William Hart of Saybrook published a dialogue, under the following title, "*Brief remarks on a number of false positions, and dangerous errors, which are spreading in the*



country; collected out of sundry discourses lately published, wrote by Dr. Whitaker and Mr. Hopkins." And soon after there was a small pamphlet published, which was doubtless written by the same Mr. Hart, which was written in a farcical way, without argument or reason, in which the doctrines I, and others who agreed with me, had published were misrepresented; attempting to set them in a ridiculous light. And with a particular design, as it appeared, to disgrace me before the publick, he called them *Hopkintonian* doctrines. This is the original of this epithet. And since that time all who embrace the calvinistick doctrines which were published by President Edwards, Doctor Bellamy, Doctor West of Stockbridge, and myself, have been called *Hopkintonians* or *Hopkinsians*. Thus I am become the head of a denomination, who have since greatly increased, and in which thousands are included, and a large number of ministers, who, I believe are the most sound, consistent, and thorough calvinists; and who in general sustain as good a character, as to their morality, preaching and personal religion, as any set of clergymen whatever: and are most popular where there appears to be most attention to religion: And, at the same time, are most hated, opposed and spoken against, by arminians, deists, and persons who appear to have no religion. And I believe, though this denomination or name originated from no such design, that it has proved an advantage to truth and true religion, as it has given opportunity and been the occasion of collecting those who embrace the scheme of christianity exhibited in the forementioned publications and ranking them under one standard. It has excited the attention and promoted enquiry into the principles and doctrines which are embraced and held by those of this denomination, by which light and conviction have been spread and propagated.

These writings of Mr. Hart's were published, while I was at Newport, preaching on probation. Pains were taken to send and spread them there, by those who were not friendly to my sentiments, and consequently not friendly to me, and to my settling in the first congregational church in Newport; with a view, no doubt, to prejudice the people of that church and congregation against me. And it had this effect, in some measure for a time; but was soon coun-

teracted and lost the influence designed; and probably had a contrary effect in the issue.

This occasioned my writing remarks on those publications; especially the dialogue, with the following title. "*Animadversions on Mr. Hart's late dialogue, in a letter to a friend.*" This was published in the spring of 1770, containing only thirty one pages. In which I did not attempt particularly to vindicate the doctrines I had published; but rather to show the unfairness and disingenuity of Mr. Hart, and his falsehoods, and self-contradictions, in what he had written.

Mr. Mills did not make any reply to my answer to him. But as I had asserted in that answer, that unregenerate sinners do not do any duty, Mr. Hemmenway, (now Dr.) having before published eight sermons to establish the contrary, wrote a book of one hundred twenty seven pages, octavo, against me and my position, and published it in the year 1772. The year before, the above mentioned Mr. Hart wrote a pamphlet against President Edwards' Dissertation on the nature of true virtue, in which he repeatedly mentioned my name and writings with disapprobation. And about the same time, Mr. Moses Mather (now Doctor) published a piece in which he condemned sentiments found in President Edwards', Doctor Bellamy's and my writings.

As I was sensible the difference between me and these authors originated in our different ideas of the nature of true holiness, in 1773 I published a book of two hundred twenty pages, octavo, containing, "*An enquiry into the nature of true holiness; with an appendix,*" in which I answered the publications above mentioned. That on the nature of true holiness had a second edition of one thousand five hundred copies, in the year 1791. Mr. Hart and Doctor Mather wrote no more. But Doctor Hemmenway published remarks on my answer to him, in 1774, containing one hundred sixty six pages, octavo. But as little or nothing was in this added to what was contained in his first book, and it contained personal reflections, and too much heat and haughtiness; all which he confessed to me afterwards in a personal interview, I did not think it worth while to take any publick notice of it. And I believe it was not much read, and had but little influence on the minds of any. P. 100.



The other works of Dr. Hopkins are, "*A dialogue concerning the slavery of Africans, &c.* 1776, reprinted by the Abolition Society in New-York, 1785, with an appendix by the author.—"*An enquiry concerning the future state of those who die in their sins,*" 8vo. pp. 400. 1783.—"*System of Doctrines, &c.* 2 vols. 8vo. pp. 1244. 1793. For this the author unexpectedly received nine hundred dollars.—"*Life of Susannah Anthony; do. of Mrs. Osborn.*" This, we believe is a complete list of the works of Dr. H. published in his lifetime. In the present volume however are contained two tracts, which were probably esteemed worthy of preservation.

The first, entitled "A Dialogue between a Calvinist and a Semicalvinist," proves, to the perfect conviction of the Semicalvinist, that he ought to be willing to be damned. After the doctrine is proved, the advantages of it are summed up by the Calvinist in the following words:

It is suited to enlarge the mind of the christian, and to extend his ideas and thoughts to objects which are great and immense, and to wake up the feelings and exercises of disinterested benevolence, of supreme love to God, and regard to the general good, which swallows up and forgets his own personal interest, as nothing, in comparison with these grand objects. This will help him, in the best and easiest manner to distinguish between true religion and false: and to obtain, and maintain the evidence in his own mind, that he is a friend to God, and has that benevolence in which holiness does summarily consist.

This will prepare him to acquiesce in the eternal destruction of those who perish, and even to rejoice in it, as necessary for the glory of God, and the greatest good of the whole, in the exercise of that disinterested benevolence, which makes him to be willing to be one of that sinful, wretched number, were this necessary to answer these ends. P. 165.

We have lately read of a curious fact respecting the alligators of the Mississippi, that, in the fall, they swallow pitch pine knots, which remain in their stomachs during their wintry torpor, and probably are chosen on account of their difficult digestion to keep the coats of the stomach from collapsing. If any plain honest christian wishes to exercise his intellectual digestion, and prevent the evil effects of religious security and torpor, we recommend this tract, as containing as knotty a point, as he will probably find among the stores of theological nutriment, which the ingenuity of polemicks has provided.

The second tract is an address to christians upon the signs of the times. Many great and good men have imagined, that they had certainly explained the prophecies of scripture; but we are inclined still to believe, notwithstanding the labours of Dr. Hopkins, that no prophecy of scripture is of any private interpretation.

A discourse by Dr. Hart of Preston, upon the death of the excellent subject of these memoirs, concludes the volume.

We are sorry to say, that the style of Dr. H., in these posthumous works, is too often incorrect, vulgar, and colloquial. Instances of false grammar are not rare, and the coinage of such words as *itinerate*, and *reluctate*, adds nothing to the copiousness or purity of the English language.

#### ART. 15.

*An inaugural dissertation on respiration. Submitted to the publick examination of the Faculty of Physick, under the authority of the trustees of Columbia college, in the state of Newyork, the Rt. Rev. Benjamin Moore, D.D. pres-*



ident ; for the degree of Doctor of Physick, on the 12th day of November, 1805. By Thomas Cock, citizen of the state of New-York. New-York, printed by T. & J. Swords. 1805.

IN an inaugural dissertation we look not for novelty, but we have a right to expect accuracy ; and our opinion of the candidate for collegiate honours is drawn from the principles and sentiments he has adopted. The author of the dissertation before us has evidently given some time to the investigation of the subject which he discusses, and the work contains useful information. We regret, that it is not marked by that accuracy which we are authorized to expect, and which in scientific works is peculiarly necessary.

The only opinions which are new to us, or to the medical world in general, are those quoted from Mr. Davy. We regret, that we have not had the good fortune to see, and cannot procure the works of Mr. Davy. The opinion, that azote as well as oxygen is absorbed by the pulmonick blood, we surely cannot controvert, and so far as speculation will authorize us we are disposed to subscribe to it. The other opinion, adopted from Davy, cannot be so easily admitted. This is, that air, or the mixture of oxygenous and azotick gasses, not oxygen and azote which form the base of air, is received into the blood.\* Dr. Cock has quoted no experiments which confirm this opinion, and it is not so plausible, as to command assent unsupported by facts.

...

\* Is this precisely Mr. Davy's opinion? We understand it so from Dr. Cock's dissertation ; but a reference to Thompson and Bostock has led us to suspect, that Mr. D. believes only, that oxygen and azote are absorbed.

#### ART 16.

*The history of North and South America, from its discovery to the death of General Washington. By Richard Snowden. 2 vols. 12mo. Philadelphia. Jacob Johnson. 1805.*

THE author of the above mentioned work observes in his preface that, "In what relates to South America, Dr. Robertson's History has been implicitly followed. His arrangement of the subject, his chronological order, and his very style have been adopted, as the best that can be chosen. To condense his details, to introduce only the most prominent and characteristick events, has been the principal effort, and invariable purpose of the epitomizer : endeavouring, as he progressed, to preserve unbroken the connexion and continuity of events ; and in the whole, to present the reader with a brief, but interesting view, of one of the most important æras in the annals of the world."

The author appears to have been considerably successful in the execution of his proposed plan. The History commences with the discovery of America by Columbus, and relates the formidable difficulties he was obliged to encounter ; the talents and perseverance which he exhibited in combating those difficulties ; and the ungrateful and ungenerous returns which the Spanish nation made to his eminent services. It relates the succeeding discoveries of the new world ; the conquest of the Mexican and Peruvian empires ; and concludes with their entire subjection to the kingdom of Spain.

The second volume begins with relating the conjectures which have been made respecting the peopling of America ; it gives the character



of the Indian natives ; the state of the British colonies at the termination of the French war ; of their altercation with the parent country ; it proceeds to give a general sketch of the American war, and the acceptance of the federal constitution ; it inserts the farewell address of General Washington, in 1796 ; and concludes with a description of his person.

Though this work is a compilation almost entirely in the words of other authors, it contains much useful information for those readers, who have not time to peruse, and cannot easily procure larger accounts.

#### NOTICES

*Of First Lines of the Practice of Physick. By William Cullen, M. D. &c. With practical and explanatory notes, by John Rotheram, M. D. New York : Printed by L. Nicholls, for I. Riley & Co.*

WE are rejoiced to see Cullen in a decent American dress. Perhaps his general correctness, his incontrovertible practice, and his unparalleled popularity, entitle him to more elegant habiliments than those in which he here appears before us.

It is unnecessary to recommend Cullen's practice of physick to the perusal of physicians. We venture to advise the medical tyro to fix all the practical part of the work firmly in his memory. He will find more advantage from being thoroughly possessed of it, than from running through a hundred of your Darwins and Beddoes's, and others like them. The theory of spasm and collapse, on

which Cullen prided himself as the greatest effort of his genius, is fallen with many more theories, and will be followed by others innumerable, till physicians return to Hippocrates, and learn to observe nature, before they reason on her operations. The loss of this theory does not affect the practice of Cullen, which remains a model of excellence.

The edition before us is executed with a good type, on tolerable paper, and is about as free from typographical errors, as American editions of medical works generally are. This work was formerly printed in four volumes, then compressed to two, and now the printer has contrived to compel the whole into a single volume. Hence the type appears very crowded, and the notes are in a character so small, as barely to be legible. It is copied from Rotheram's edition. That by Reid is latter, and the notes are more appropriate, though fewer in number. Bosquillon, the French translator of Cullen, has given very copious and valuable notes on this work. These would be a considerable acquisition to English medical literature. They would enhance the value of Dr. Cullen's book, and at the same time possess the advantage of affording a comparative view of French and English medicine.

We have been informed, that it is contemplated to publish this work at Worcester. It is desirable, that it should appear in a style suited to the merits of the work, and to the extensive circulation insured it. The alteration of names of medical simples and compounds, to those of the last Edinburgh pharmacopeia or dispensatory, would increase the value of the book, and save students



the labour of referring to old pharmacopias.

....

*Fleetwood ; or, The New Man of Feeling.* By William Godwin. In two volumes. New York : Printed for I. Riley & Co. No. 1, City-Hotel. 1805.

THOUGH the first talents are necessary to the production of a good novel, writings of this species are continually attempted. Why that which is arduous should be ventured on in common, or this track of literature be travelled by crowds, it is difficult perhaps satisfactorily to settle. Were authors restricted by the penury of their calling to a fewness of themes, some cause would appear for their abounding in fable : but topicks in letters being numerous and free, it is hard to account for their fancy for one. Every description of literati, and of no description too, counsellors and clergy, statesmen and ladies, book-sellers and beaux, some without brains and some with, as if smit by enchantment, couch the quill for romance. Bleeding nuns and bloodless corpses, vacant castles and peopled caverns, blue flames and white, red flames and green, damsels and knights, duennas and squires, friars and devils, with death's-heads and cross-bones to boot, dance the hay through their works, as though description were crazed.

..... The times have been,  
That when the brains were out, the man  
would die,  
And there an end ; but now, they rise again,  
With twenty mortal murders on their crowns,  
And push us from our stools. SHAKES.

Among the multitude that affect this department of writing,

though less ghostly than his companions, Mr. Godwin is conspicuous. From the refined reveries of Political Justice he turned his attention to the manufacture of stories. How well he succeeded in this fashionable employment Caleb Williams and St. Leon honourably show. The first is a treasure amongst rubbish of its order, and the second, notwithstanding the declaration of Horace,

*Quodcumque ostendis mihi sic, incredulus odi,*

continues to be a favourite among the majority of readers. But uniform excellence is attainable by none ; and, in the performance before us, Mr. Godwin has failed.

Whether the plan of this novel is unfavourable to the genius of its writer, or his former productions have exhausted his vein, or what has contributed to his present miscarriage, it is not expressly our business to say. But, were we called to account for the failures we have detected, we should conceive that Mr. G. had mistaken his province ; that the gallantries of Paris, and the exploits of collegians, were unsuitable materials for the author of *Falkland*, and the tremendous *Bethlem Gabor*. There are dispositions that seem destined for the heroick alone, that attain to objects elevated with dignity and ease, but discover no gracefulness in stooping to levities. On the mountains of Switzerland, in the community of robbers, with every thing chivalrous, Mr. Godwin appears consummately at home : But, in descending to petty characters and passions, in the management of a *tete-a-tete*, or the manœuvre of a love-matter, he aptly reminds one of Hercules at the distaff. It might be observed of him, as of some former genius, that he could sculpture heroes in



marble, but wanted art to carve a head on a nut-shell.

The leading defects in the *New Man of Feeling* are, violent metaphors, long-winded reflections, and declamatory sentiment. Fleetwood seems possessed of all the foibles of our author, with very few of his excellences. On those occasions, where he used to be instructive or entertaining, he appears here to be irrelative or tedious; where he was formerly elevated or moving, he seems now to be fulsome or puerile. He is frequently so inflated with the effervescence too of his fancy, that he resembles new beer in the labours of refinement. He is continually sighing at the vent with a sad string of ahs....ahs....ahs!!! or popping off in foam with....good God!...just heavens!...and, poor Mary! You must first be contented to remove the froth from his surface, before you taste of his spirit, or you may be frosted to the eyes in the exuberance of his head. To afford our readers an example of the true sublime and pathetick, we quote the following soliloquy of the *New Man of Feeling*:

Shall I go to my wife, and confront her with this new evidence of her guilt? No, I will never speak with her, never see her more. It is a condescension unworthy of an injured husband ever to admit his prostituted consort into his presence! It is as if God should go down and visit Satan in his polluted, sulphureous abodes! How from my inmost soul I abhor her! How I will hold her up to the abhorrence of the world!—How I should like to see her torn with red-hot pincers!—To what a height I have loved her! No, no, no, no—never!

If this, gentle readers, be not rhetorick run mad, then have we no skill in criticism. Another objection to Fleetwood is the fashion of its episodes. They seem to

break out unnaturally from the body of the work, and wear the appearance of excrescences, rather than branches. We are told a kind of cock-and-bull story about a whimsical little boy, who travelled, nobody knows how far, and, in fact, nobody cares, to introduce himself, forsooth, to Louis the fourteenth. Now this, certainly, is a very singular affair, and for that reason, unquestionably, very pretty. But Mr. Godwin should remember, that he is not composing for the entertainment of nurseries. Our author too, ever willing to take up any threads but those of his story, diverted himself so long in the mill at Lyons, that we began to suspect him to be occupied by the spinning out of other matter than silk. For a dozen pages, or more, we heard nothing but the rattling of *swifts*, children scampering for broken twist, and the trampling of a mill-horse, who gave spring to this hubbub. On the whole; there is very little in these volumes that reminds one of Mr. Godwin, excepting his visit to Ruffigny and his name on the title.

....

*Elements of General Knowledge, introductory to useful books in the principal branches of literature and science, designed chiefly for the junior students in the universities, and the higher classes in schools. By Henry Kett, B. D. fellow and tutor of Trinity College, Oxford. Philadelphia, Maxwell, for F. Nichols, Philadelphia, and J. A. Cummings, Boston. 1805. 2 vols. 12mo. pp. 350 each.*

THIS is among the few books which merits the currency which it has found. Mr. Kett indeed is



not a man of superlative talents, but it does not require very transcendent powers to accomplish all that he proposes. His design is to give a survey of the general objects of knowledge, which he reduces under the following classes: Religion, language, history, philosophy, polite literature and the fine arts, and the sources of national prosperity. We were at first apprehensive that we were sitting down to the examination of another attempt "to show a royal path to geometry;" and we give Mr. Kett his highest praise, when we say our suspicions were unjust. He has not debased the dignity of literature, by making superficial knowledge of it more easy; he only gives his youthful reader a view of the objects and present state of science, and admits him to see at a distance its "goodly prospects," and hear its "melodious sounds," without concealing or diminishing the difficulties,

which must be overpassed before he can completely enjoy them.

The American edition is remarkably neat, and we examined it with unmingled pleasure, till we met the following passage, which is inserted in a note on the chapter on the Greek language.

The English reader must make a due allowance for the exaggerated praise of a credulous classical pedant, who seems to believe all the idle stories which the Grecian writers relate of their countrymen. If the celebrated Romances of Mrs. Radcliffe had been written by a Republican of Athens, they would probably have held the first rank in ancient literature.


That sublime moralist, and profound scholar, Mr. Godwin, is equally liberal of his praise of the language, literature, and virtues of the Romans. See Godwin's Inquirer. Editor.

We want words to express our indignation at the unexampled impertinence of this intrusion on Mr. Kett. Its absurdity and imbecility does not at all apologize for its insolence; and if the works which are reprinted in this country are to be thus polluted, our hopes from the growing utility of our press must be at once relinquished.

## MONTHLY CATALOGUE

OF NEW PUBLICATIONS IN THE U. STATES, FOR MARCH, 1806.

Sunt bona, sunt quædam mediocria, sunt mala plura.—MART.

 We cannot too often repeat solicitations to authors, printers, and booksellers, in the different parts of the United States, to send us by the earliest opportunities (post paid) notices of all books which they have lately published, or which they intend to publish. The list of *New Publications*, &c. contained in the *Anthology* is the only list within our knowledge published in the United States, and consequently the only one that can be useful to the publick for purposes of general reference. If authors and publishers will consent to communicate, not only notices, but a copy of all their publications, such use might be made of them as would promote, what all unite in ardently wishing, the general interest of American literature, and the more extensive circulation of books.

### NEW WORKS.

HISTORY of the Rise, Progress, and Termination of the American Revolution; interspersed with biographical, political, and moral Observations. In

Vol. III. No. 3. W

three volumes. By Mrs. Mercy Warren, of Plymouth, (Mass.) Vols. I. and II. 8vo. 1st vol. pp. 448, 2d vol. 412. Boston: Printed by Manning & Loring, for E. Larkin. 1805.



The first Supplement to the Philadelphia Medical and Physical Journal, collected and arranged by B. Smith Barton, Professor of Materia Medica, Natural History, and Botany, in the University of Pennsylvania. 8vo. Philadelphia. 1806.

A System of Geometry and Trigonometry; together with a treatise on Surveying; teaching various ways of taking the survey of a field, also to protract the same, and find the area. Likewise rectangular surveying; or an accurate method of calculating the area of any field arithmetically, without the necessity of plotting it. To the whole are added several mathematical Tables, necessary for solving questions in trigonometry and surveying; with a particular explanation of those tables, and the manner of using them. Compiled from various authors, by Abel Flint, A. M. Hartford. Lincoln & Gleason.

No. 85 of A new and complete Encyclopædia, or universal dictionary of arts and sciences. 4to. New York.

The American Gardener's Calendar; adapted to the climates and seasons of the United States, containing a complete account of all the work necessary to be done in the kitchen garden, fruit garden, orchard, vineyard, nursery, pleasure-ground, flower garden, green-house, hot-house, and forcing frames, for every month in the year. To which are annexed, extensive catalogues of the different kinds of plants, which may be cultivated either for use or ornament in the several departments, or in rural economy; divided into eighteen alphabetical classes, according to their habits, duration, and modes of culture; with explanatory introductions, marginal marks, and their true Linnæan or botanical, as well as English names; together with a copious index to the body of the work. By Bernard M. Mahon, nursery, seedsmen, and florist, Philadelphia. Price, full bound, 3,50. Philadelphia. 1806.

A Compendious Dictionary of the English language, in which five thousand words are added to the number found in the best English compends; the orthography is in some instances corrected, the pronunciation marked by an accent, or other suitable direction; and the definitions of many words amended and improved. To which are added, for the benefit of the merchant, the student and the traveller,

I. Tables of the moneys of most of the commercial nations in the world, with the value expressed in sterling and cents. II. Tables of weights and

measures ancient and modern, with the proportion between the several weights used in the principal cities of Europe. III. The divisions of time among the Jews, Greeks, and Romans, with a table exhibiting the Roman manner of dating. IV. An official list of the post-offices in the United States, with the states and counties in which they are respectively situated, and the distance of each from the seat of government. V. The number of inhabitants in the U. States, with the amount of exports. VI. New and interesting chronological tables of remarkable events and discoveries.

By Noah Webster, Esq. From Sidney Prefs, for Hudson & Goodwin, Hartford, and Increase Cooke & Co. New-Haven, 12mo. pp. 408. 1806.

A Collection of the Essays on the Subject of Episcopacy, which originally appeared in the Albany Centinel, and which are ascribed principally to Rev. Dr. Linn, Rev. Mr. Breasley, and Thos. Y. How, Esq. With additional notes and remarks. New York. T. & J. Swords. 1 dol. 1806.

A Pastoral Letter from the Right Rev. Thomas John Clagget, D. D. bishop of the Protestant Episcopal Church in Maryland, to the clergy and congregation of the said church. New York. T. & J. Swords. 1806.

An abridgment of Henry on Prayer, consisting of a judicious collection of scriptures, proper to the several parts of the duty, with an essay on the nature and duty of prayer; to which are annexed some forms of prayer. By a committee of the North Association of Hartford County. Hartford, Lincoln & Gleason. 50 cents.

Familiar Letters, to the Rev. John Sherman, once pastor of the church in Mansfield, in particular reference to his late anti-trinitarian Treatise. By Daniel Dow, pastor of a church in Thompson, Connecticut. Hartford. Lincoln and Gleason. 1806. 25 cents.

Illustrations and Reflections on the story of Saul's consulting the witch of Endor. A discourse, delivered at West-Springfield. By Joseph Lathrop, D. D. pastor of the first church in said town. 8vo. pp. 20. Springfield, (Mass.) H. Brewer. 1806.

A new-year's sermon, preached at Lee, January 1, 1804. By Rev. Alvan Hyde, pastor of the church in Lee.

A discourse before the Society for propagating the Gospel among the Indians and others in North America, delivered Nov. 7, 1805. By Joseph Eckley, D. D. Minister of the Old South Church in Boston. E. Lincoln.

A sermon, delivered at Lenox, (Mass.) February 20th, 1806, being the day of the execution of Ephraim Wheeler, pur-



suant to his sentence. By Samuel Shepard, A.M. pastor of the church in Lenox. Price 12½ cents. Stockbridge. Herman Willard.

A discourse, delivered at Hillsborough, New Hampshire, by Rev. Stephen Chapin; being his first after ordination. 8vo. Amherst. Joseph Cushing.

A discourse delivered at Brookline, 24th Nov. 1805, the day which completed a century from the incorporation of the town. By John Pierce, A. M. the fifth minister of Brookline. Cambridge. W. Hilliard.

Foscari; or the Venetian exile, a tragedy, in five acts. By John B. White, Esq. 8vo. Price 50 cents. Charleston, (S. C.) 1806.

The Piscataqua Evangelical Magazine, No. 1 of the 2d Vol. 8vo. pp. 48. 12 cents. Amherst. J. Cushing.

New Collection of Spiritual Songs, mostly original. By Rev. Coleman Pendleton. Raleigh, (N. C.) J. Gales.

The complete Valentine Writer, for both sexes. Baltimore. Fryer and Clark. 1806.

The Laws passed at the last session of the general assembly of Virginia. Richmond. Samuel Pleasants, jun. 1806.

Who shall be governour, Strong or Sullivan? or, the sham-patriot unmasked; being an exposition of the fatally successful arts of demagogues to exalt themselves, by flattering and swindling the people; in a variety of pertinent facts, drawn from sacred and profane history. 8vo. pp. 50. Boston. 1806.

The Boston self-styled Gentlemen Reviewers reviewed. By the author of the Science of Sanctity; and that truly original production analytically delineated. By a Berean. 8vo. Brattleborough, (Ver.) William Fessenden.

An Exhibition of Facts, supported by documents, for the information of the militia officers of the state of Massachusetts; containing a statement of the causes which led to the arrest of Captain Joseph Loring, jun. 8vo. pp. 96. 37½ cents. Boston, David Carlisle.

#### NEW EDITIONS.

Sermons of John Baptist Massillon and Lewis Bourdaloue, two celebrated French preachers. Also, a spiritual paraphrase of some of the psalms, in the form of devout meditations and prayers, by J. B. Massillon. Translated by Rev. Abel Flint, pastor of the church in Hartford. 12mo. pp. 310. 1 dol. Hartford, Lincoln & Gleason.

The Lay of the Last Minstrel, a poem, by Walter Scott, with notes, &c. 1 vol. 12mo. extra boards, pp. 250. fine hot-pressed paper. 1 dol. New York, Haaz Riley & Co. 1806.

The Free-Mason's Monitor, or illustrations of masonry, in two parts. By Thomas Smith Webb, past master of Temple Lodge, Albany, &c. 12mo. Boston, printed for H. Cushing, Providence, &c.

War in Disguise, or the frauds of the neutral flags. 8vo. Charleston, (S. C.) E. Morford. 1806.

An Answer to War in Disguise, by an American statesman. 8vo. Charleston. Morford. 1806.

War in Disguise, &c. 2d edition. In 12mo. boards. pp. 228. fine paper. 75 cents. New York. Riley & Co. 1806.

The Infirmities and Comforts of Old Age. A sermon to aged people. By Joseph Lathrop, D. D. pastor of the first church in West-Springfield. 2d edition. Springfield, (Mass.) H. Brewer.

The Seraphical Young Shepherd, being a very remarkable account of a young shepherd in France, who attained to an uncommon and evangelical knowledge of the true God and Jesus Christ; translated from the French, with notes by C. Caley, jun. 18mo. 62 cents. Boston, J. West.

#### IN THE PRESS.

Letters to a Young Lady on a Course of English Poetry. By John Aikin, M. D. 12mo. fine woven paper. Boston. Munroe and Francis.

The first number of Madoc, a poem, by Robert Southey. Fine woven paper, large 8vo. Boston. Munroe & Francis.

Ossian's Poems. 2 vols. with plates. New York.

Letters to Rev. Mr. Austin on Infant Baptism. By Daniel Merrill, A. M. pastor of the church of Christ in Sedgwick. 12mo. Boston. Manning & Loring.

The sixth and last volume of Ortan's Exposition of the Old Testament. Charlestown. S. Etheridge.

The second edition of the First Number of the Christian Monitor, a religious periodical publication, by "a society for promoting christian knowledge, piety, and charity." 12mo. pp. 192.—Boston, Munroe & Francis.

Apology for Infant Baptism and the usual modes of baptizing. By John Reed, D. D. pastor of a church and congregation in Bridgewater. In which work the objections and reasonings of Rev. Daniel Merrill, and the principal



Baptist writers are considered and answered. 12mo. pp. 270. Boston.

The New Hampshire Latin Grammar: comprehending all the necessary rules in orthography, syntax, and prosody; with explanatory and critical notes. By John Smith, A.M. professor of the learned languages at Dartmouth College. Second edition, with large additions. 12mo. Boston. John West.

Paley's Moral Philosophy. 8vo. J. West, Boston.

The fulfilling of the Scriptures delineated. By Rev. Robert Fleming. Charlestown. S. Etheridge.

The Spirit of the Publick Journals, or the beauties of the American newspapers. The first No. to appear in April. Baltimore. S. Bourne.

The third volume of Scott's Commentary. Philadelphia. W. W. Woodward.

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PROPOSED TO BE PUBLISHED BY SUBSCRIPTION.

A cheap edition, highly improved and much enlarged, of the original work, entitled, *Nature Displayed in her Mode of teaching Language to Man*; or a new and infallible method of acquiring a language in the shortest time possible, deduced from the analysis of the human mind, and consequently suited to every capacity. Adapted to the French. By N. G. Dufief, of Philadelphia. 2 vols. large 8vo. Fine paper. Price to sub-

scribers 5 dols. in boards. Philadelphia. John Watts. Subscriptions received in Boston by J. Gourgas.

The Family Expositor abridged, according to the plan of its author, the Rev. Philip Doddridge. In two vols. 8vo. By S. Palmer. To this edition will be prefixed a portrait of Dr. Doddridge, and an account of his life and writings. Hartford. Lincoln & Gleason.

The Doctrine of the Law and Grace unfolded. By John Bunyan, author of the Pilgrim's Progress. To the above will be added, Grace abounding to the Chief of Sinners, being a faithful account of the life and death of Mr. John Bunyan. In one vol. 12mo. pp. 300. Price to subscribers 87½ cents bound. Boston. Manning & Loring.

An entire new work, entitled, *The History of Wyoming, or the county of Luzerne, in Pennsylvania, from the first settlement in 1763 to 1806*. By Abraham Bradley, Esq.

Victor, or The Independents of Bohemia, a grand romantick play, as performed with great applause at Providence; and, Rudolph, or The Robbers of Calabria, a grand romantick melo-drama, with chorusses, as performed last winter at New York with unbounded applause. Written by John Turnbull, late of New York, now of Charleston theatre. Fine paper. 1 dol. to subscribers; 1,37 to nonsubscribers. Charleston, S. C. Wm. Young.

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INTELLIGENCE.

Mr. Grahame, author of *The Sabbath*, a poem, has just finished a new volume of Poems, which will speedily be published.

A Second Collection of Letters to a Young Clergyman, by the Rev. Job Orton, is nearly ready for publication.

A Life of Romney the painter, from the pen of Hayley, will shortly appear, and will be accompanied with a variety of engravings.

The sixth volume of the General Biographical Dictionary, by Dr. Aikin, Mr. Morgan &c. which had met with a temporary delay, is gone to the press. It is conducted by the same writers with those of the preceding volumes; but the Spanish and Portuguese literary biography will be given more at large by a gentleman peculiarly acquainted with that department.

A prospectus of two periodical works has been issued at New York, the first

entitled, *The Continent of Europe, or the Paris Correspondent*; and the second, *L'Amerique du Nord, ou Le Correspondent des Etats Unis*. In the first part of the proposed work will be comprehended a brief analytical account of all the productions, in every branch of literature, science, and the arts, which may appear on the continent of Europe, exhibiting successively to view the progress and state of knowledge, in France, Germany, Russia, Sweden, Denmark, Holland, Spain, Switzerland, and Italy.—To each number will be subjoined, important state papers, Paris price-currents of merchandize, and other useful commercial intelligence.—The various articles will be arranged under the general heads of physical and mathematical sciences;—economy and useful arts;—morals and politics;—history and biography;—fine arts;—general history of literature.—



Such an account will be given of every article as will render it easily understood, and, in such a manner as to bring into a small compass the most valuable ideas and interesting facts, in every department of science and the belles-lettres, and to make known to the people of the United States the productions of men of genius and talents in Europe. As a suitable introduction to this work, the Editor proposes to give a *Catalogue raisonné*, of Greek, Latin, English, French, Spanish, and Italian books, selected from the best bibliographical and periodical works that have appeared in France, and which will present a brief retrospect of the literature and science of past years. A good catalogue of books in foreign languages is much wanted by men of letters in America, many of whom are unable to make a proper selection from a want of a suitable means to guide their choice. The Editor has spared no pains in making a collection, with a particular view to the United States; and he indulges the hope, that the professors of universities, colleges, and academies, the members of learned societies, and the lovers of literature and the arts, in general, will find in the numbers of the *Continent of Europe*, or the *Paris Correspondent*, much useful bibliographical intelligence, and valuable information in all the various branches of human knowledge, and that they will honour the present undertaking with their patronage and support. The first work will be printed in English, and published every month, by *Isaac Riley & Co.* of New York. Each number will contain at least 48 pages 8vo. price 50 cents. The materials necessary to commence and carry on the work are already provided, and will in future be regularly furnished by *H. Caritat* from Paris. The publication will commence as soon as a sufficient number of subscribers are obtained to defray the expenses of the undertaking.——The second work, entitled *L'Amerique du Nord, ou Le Correspondent des Etats Unis*, is designed to exhibit to the inhabitants of Europe an account of all the publications, productions, discoveries, and improvements, in the United States. It will contain the various articles in all the branches of literature and science, arranged under proper heads, with an analytical account of the same, in the manner proposed as to the first part. The prices of goods, publick stocks, and other

useful commercial information will be added. As this work will be published in the French language, by *H. Caritat*, at Paris, American authors and publishers will have an opportunity of having their productions made known throughout Europe: for which purpose it will be necessary to make early communications of them to *Isaac Riley & Co.* at New York, by whom arrangements will be made relative to both works, for the convenience of subscribers in every part of the United States. The second work will be comprised in numbers of about 32 pages octavo, and published monthly at Paris, at 25 cents each. Subscriptions received at the Anthology Office.

The long expected Tour of Colonel Thornton through various parts of France, a splendid work, which has been nearly three years in hand, is now nearly ready for publication. It will be comprised in two volumes imperial quarto, illustrated by about eighty beautiful engravings in colours, by Mr. Scott and other artists, from original drawings, descriptive of the country, customs, and manners of the people, taken by the ingenious Mr. Bryant, who accompanied the Colonel expressly for that purpose. This tour was performed during the cessation of hostilities, toward the conclusion of the year 1802, and the route being entirely different from that usually taken by English travellers, no small degree of information and interest is expected to result from the perusal of the work. To the sportsman in particular it cannot fail to prove highly gratifying, as we have no account whatever of the state of sporting in that country. Another edition of the work will appear at the same time in royal quarto, with the plates uncoloured.

Mrs. Opie's Simple Tales are in a state of forwardness.

Letters to a Young Lady, from the pen of Mrs. West, have been published in England.

In the Electoral Library at Munich have been discovered the Four Gospels, and a Liturgy of the eleventh century, in small folio, on fine white parchment, written in a beautiful distinct character, and in the highest state of preservation. They are very splendidly bound, and ornamented with precious stones and pearls: the clasps are of gold, and they are lettered on the back with ivory.

A Secret History of the Court of St. Cloud, in a Series of Letters from a Gen-



tleman at Paris to a Nobleman in London, will appear immediately.

The universal and heartfelt tribute of respect which has been paid to the memory of the late lamented Lord Nelson, has communicated its influence to the painters and poets; and many, very many, have, ever since we had the advice of his death, been exerting all their powers to perpetuate his praise and immortalize his fame. They began with mixing marks of their regret with the illuminations for his brilliant victory, in which the blazing windows bore testimony to the feelings of the inhabitants,

"In words that blaze, and thoughts that burn."

It must be acknowledged, however, that some of the inscriptions were more similar to readings in Westminster-Abbey, than to the transparencies of a rejoicing-night.

Jean, the artist, of Newman street, exhibited a transparency of Britannia, with the usual insignia of Fame, the victories of the gallant Admiral, and on the west side an urn, with the following inscription:

"Britannia, victor, ever must deplore  
Her darling Hero, Nelson, now no more!"

The inscription at the house of Mr. Abraham Goldsmid was peculiarly appropriate and intelligent. Between two cordons of lamps, in transparent letters,

"I rejoice for my country, but mourn for my friend."

But setting aside these little effusions of the hour, we find that several great works are in hand on the occasion.

Messrs. Boydells intend having a very capital picture engraved in the first style in commemoration of the event, but we believe have not yet entirely arranged the plan, though it will be laid before the publick in a few days.

Mr. West and Mr. Heath have announced and advertised their plan.

Mr. Copley has stated that he intends painting a large picture on the same subject.

We have, beside these, many advertisements from other artists who intend publishing memorials on a smaller scale.

Mr. Orme has advertised an engraving from a picture to be painted by Mr. Craig; and Mr. Ackermann, we have been told, will almost immediately publish a highly-finished graphick record of the Admiral's victories, &c., surmounted with a naval trophy in honour of his memory.

The Honourable Mrs. Damer has presented to the Corporation of the City of London a marble Bust of Lord Nelson, which is to be placed on an elegant marble pedestal, and deposited in the Council-Chamber at Guildhall.

In about a month's time Messrs. Boydells will publish a portrait of Lord Nelson, which is now engraving by Earlom, from a picture painted by Sir William Beechey, and presented to the Corporation of the City of London by the late Alderman Boydell.

We saw this picture soon after it was finished, and thought it one of the finest that Sir William Beechey ever painted.—It is a most spirited and animated portrait, marked with *mod* and appropriate character, but not painted to be viewed upwards of twenty feet above the eye, and at that height we were very much mortified to see it exhibited in the Council-Chamber at Guildhall, where it is placed immediately over the seat of the Lord Mayor. But justice to the memory of our lamented Hero demands its removal to a situation nearer the eye; for here the whole portrait appears of one tone of colour, and the honourable scar in the Admiral's forehead, which was a remarkable mark, is entirely lost. The portrait of Lord Rodney, which is so painted that it would admit of being placed at a greater height, is about twelve feet from the eye. The situation of the two portraits might be changed, and Lord Nelson put in the place now appropriated to Lord Rodney, and *vice versa*.—*London Monthly Retrospect*.

Advices recently received from Naples contain further details relative to the unrolling of the manuscripts discovered at Herculaneum. Eleven persons are at present employed in unrolling and copying. The manuscripts hitherto inspected amount to about 140, eight of which have already been interpreted and transmitted to the minister Seratti, that they may be examined by the Academy, and ordered to be printed. These manuscripts are, six of Epicurus, entitled, *Περὶ τῆς Φυσικῆς*, On Nature. Another is by Philodemus; its title is, *περὶ τῆς ὀργῆς*, On Anger. The eighth wants both the title and name of the author. It treats of nature and the worship of the gods. The next four are almost entirely explained; but they have not yet been transmitted, because Mr. Hayter and the Abbé Foti, of the order of St. Basil, jointly are to superintend their publication.



The Abbé Foti has first to collate the copies with the originals, to supply what is necessary, and to translate. Mr. Hayter collates after him, alters what he thinks proper in the supplements and translations, and delivers the copy to M. Foti, to be again transcribed. The delay occasioned by Mr. Hayter in his labours, is the reason why these manuscripts have not yet been sent either to the Academy or the Minister. Their titles are as follow: one on logic, entitled *On the Strength of Arguments drawn from Analogy*—Περὶ Κακῶν καὶ τῶν ἀντιχειμένων Ἀρετῶν, *Treatise on Vices and the contrary Virtues*—τὰ περὶ θανάτου, *On Death*. These three works are by Philodemus. The author of the fourth is Polistratus: Περὶ ἀλογίας κατὰ ἑρμηνείαν αὐτῆς ἐπιχειρηματικῆς τῆς ἀλογίας κατὰ ἑρμηνείαν τῶν ἐν τοῖς πολλοῖς δοξαζομένων, *On unreasonable Contempt*; that is, of those who despise unjustly what others commend.—This manuscript is the least damaged, and many passages of it are absolutely untouched. The other *papyri* are in a great part by Philodemus; they treat of rhetoric, of poetry, and of morality. The publication of these manuscripts cannot take place with all the expedition that could be wished, as the originals are to be engraved before they are presented to the publick. This process requires much time and money, and the want of the latter will considerably retard the publication. M. Rosini, bishop of Puzzuoli, to whom the publick is indebted for the fragment of Philodemus on Musick, is the person appointed by the Court of Naples to superintend the engraving and the publication of these manuscripts.

A distinguished man of science at Naples has published an account of a visit he paid to Pompeii since the late researches ordered by the Queen of Naples.—The principal particulars of his statement are as follow:—"In a search begun about seven years ago was discovered the capital of a pilaster, which was suspected to be the lateral front of a grand portico. Last winter the works were resumed at that place, and the corresponding pilaster was found. The brass hinges of the door have been removed to the Museum of Portici. The habitation into which it leads is large and commodious, and richly ornamented with paintings and mosaic-work. The building is formed of square stones, so nicely fitted and cemented, that the whole would be taken for a single mass,

--The passage which serves for entrance is twelve palms long, and ten wide. It leads to a court, the walls of which are covered with stucco of various colours.—The capitals and cornices are in good preservation; and I there observed a rose, which is a master-piece both of design and execution. All the apartments are decorated with beautiful paintings on a red, blue, and yellow ground. You there see likewise detached columns, with flowers, candelabras, and ornaments, in the best style. To the left are two apartments, which were probably those of the master and mistress. The painter gave a free scope to his imagination in all the pictures, which I beheld with inexpressible delight. Nothing can be more pleasing, among others, than a dance of persons in masks; and nothing more graceful than a little bird pecking at a basket of figs. In the centre of the court is a cistern, the *impluvium* of the Romans. On a marble pedestal is a young Hercules seated on a hind of bronze. These two pieces, one of which weighs about twenty pounds, and the other forty, are of the most finished workmanship. The water fell from the mouth of the hind into a beautiful couch of Grecian marble. Behind the pedestal was a table, the yellow feet of which represent the claws of an eagle.—These perfect works have likewise been conveyed to the Museum. A lateral corridor on the right leads to a second court, which was surrounded by piazzas, as is proved by the octagonal columns covered with stucco. In one of the apartments are observed two Bacchantes holding *thyrsi*.—Above the window, to the right, is a painting of Europa, of great beauty; she is quite naked, and is seated on the bull, which is plunging into the sea. Beneath is a young man carrying a basket of fruits: he is raising himself on tiptoe; and this attitude required of the artist a strongly marked expression of the muscular system. On the opposite side a beautiful female dancer excites admiration: she is holding and striking two cymbals; her veil, which floats behind her, produces a very fine effect. On proceeding into the adjoining hall, the first thing that struck me was a magnificent pavement of the most precious African marbles. The ceiling represents Venus between Mars and Cupid. In this hall were found a small idol of bronze, a gold vase weighing three ounces, a gold coin, and twelve



others of copper, with the effigy of Vespasian. In the hall to the left fragments of pictures, painted on wood, half carbonized, were distinguishable: they were inclosed in a kind of niches: this was the bed chamber; eight little columns by which it was supported may still be seen: they are of bronze, and to their summits still adhere some pieces of gilded wood, which probably formed a canopy. On the lateral wall were painted two priests with long beards, and clothed in robes of blue and green: they have been removed to the Museum. The kitchen contained a great quantity of utensils, mostly of iron inlaid with silver in inconceivable perfection.—But what most struck me were five candelabras painted in fresco on a ground of an extremely brilliant yellow: I scarcely knew how to leave the room which contained this master-piece of taste and elegance: they are supported by small figures, whose attitude, dress, and drapery, are so exquisitely graceful, that they might serve as models to all the belles in the world. In this house, as in most others of the ancients, you find no window opening towards the street. I was struck with the fragments of a chariot which is still remaining in the coach-house: you may perfectly distinguish the wheels and the brass ornaments of the chariot itself.—Close to the habitation is seen a door that conducts to another, and which, to judge by its exterior, will not furnish fewer beauties whenever it shall be permitted to be opened."

Miss Edgeworth will publish early in January a new work, in two volumes, entitled *Leonora*.—*Lon. Month. Mag.*

#### DEATHS IN BOSTON,

*From Friday, Feb. 20, to Thursday, March 20, as reported to the Board of Health by the Sextons.*

	Male.	Fem.	Ch.
Accident	1		
Cancer		1	
Childbed		2	
Colic, bilious	1		
Consumption		9	
Dropfy	1	1	
Drowned	1		
Fever, bilious	1	2	
—, nervous	3	3	
Fits		1	
Old age	1	1	
Unknown	4	1	13
	13	21	13

#### STATEMENT OF DISEASES,

*From Feb. 20th to March 20th.*

THE weather of the past month has been, for the most part, cold and unpleasant. This is to be attributed to the prevalence of rough north-easterly winds, which have existed through the month, almost without intermission.

"No gently-breathing breeze prepares the spring;"

but nature has again invested herself with her wintry robe.

To the north-easterly winds may be ascribed innumerable catarrhs, some of which have been so severe as to demand medical aid. Pneumonic inflammation has been common, but not fatal. Besides these inflammatory diseases, there have been some cases of cynanche tonsillaris, and we are informed that the cynanche maligna exists. Typhus mitior, which was prevalent in the autumn and did not entirely disappear during the winter, seems again to have become frequent.

Some time since, we remarked "that vaccination was scarcely heard of." It is with sorrow that we repeat this remark.—People think that physicians are eager to propagate this disease for their own advantage. This is a very mistaken notion; for the faculty rather receive injury, than professional emolument, from the vaccinating practice. A spirit of philanthropy has excited great exertions for the diffusion and preservation of this practice; yet the time may come, when that spirit will be extinguished by the prejudices of some, and the cold indifference of others.

#### Editors' Notes.

THE continuation of the review of the Transactions of the Academy unfortunately was not prepared in season for the present number.

We should be proud to number the Authors of the Essay on Method and the Character of Dr. Howard among the regular contributors to the Anthology. It makes us nobis carior to be allowed to unite with ours the productions of minds, stored as theirs are with the riches of ripened thought, and ample and digested knowledge.

The verses of L. are classical and ingenious.

We should be pleased to be frequently indebted to the writer of the beautiful lines on Shipwreck.

We do not precisely understand A. B.'s design. If he means to quarrel with the Reviewer of the sermon in question, he takes an odd method, by coinciding with him in opinion;...if with the Writer, he cannot expect that we should make our work the theatre of the dispute.